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Information and Notices

<u>Notice No</u>	Contents	Page
	I <i>(Information)</i>	
	EUROPEAN PARLIAMENT	
	2004-2005 SESSION	
	Sittings of 19 to 22 April 2004	
	Monday 19 April 2004	
(2004/C 104 E/01)	MINUTES	
	PROCEEDINGS OF THE SITTING	1
	1. Resumption of session	1
	2. Announcement by the President	1
	3. Approval of Minutes of previous sitting	1
	4. Membership of Parliament	1
	5. Membership of political groups	2
	6. Membership of committees and delegations	2
	7. Verification of credentials	2
	8. Calendar 2005	2
	9. Documents received	3
	10. Petitions	11
	11. Transfers of appropriations	12
	12. Texts of agreements forwarded by the Council	15
	13. Action taken on Parliament's positions and resolutions	15
	14. Order of business	16
	15. EC-United States agreement on PNR data	17
	16. Respect for and promotion of the values on which the Union is based (debate)	18

17. Cooperation on consumer protection ***I — Consumer credit ***I — Unfair business-to-consumer commercial practices ***I (debate)	18
18. Residue levels of pesticides in plant and animal products ***I (debate)	19
19. Modernising company law and enhancing corporate governance (debate)	19
20. Single payment area (debate)	20
21. Security of natural gas supply ***I — Access to gas transmission networks ***I (debate)	20
22. Eco-design requirements for Energy-Using Products ***I (debate)	21
23. Communication of common positions of the Council	21
24. Greenhouse gas emission allowance trading ***I (debate)	21
25. Batteries and accumulators ***I (debate)	22
26. Integrated product policy (debate)	22
27. Coordination of social security systems ***II (debate)	22
28. Agenda for next sitting	23
29. Closure of sitting	23
ATTENDANCE REGISTER	24
ANNEX I	
RESULT OF ROLL-CALL VOTES	25
1. Agenda modification — Eriksson report	25

Tuesday 20 April 2004

(2004/C 104 E/02)

MINUTES

PROCEEDINGS OF THE SITTING	26
1. Opening of sitting	26
2. Membership of Parliament	26
3. Membership of committees and delegations	26
4. Vote on request for urgent procedure	26
5. Safety at sea (debate)	27
6. Charging HGVs for infrastructure ***I (debate)	27
7. Social legislation relating to road transport ***I (debate)	28
8. Minimum safety requirements for tunnels in the Trans-European Road Network ***II (debate)	28
9. Agenda	28
10. Voting time	29
10.1. Wider Europe — New Neighbourhood policy * (Rule 110a) (final vote)	29
10.2. Tax reductions on energy products in Cyprus * (Rule 110a) (vote)	29
10.3. Electronic road toll systems ***II (Rule 110a) (vote)	30
10.4. Community Customs Code***I (Rule 110a) (vote)	30
10.5. European Organisation for the Safety of Air Navigation *** (Rule 110a) (vote)	30
10.6. Local border traffic at the external land borders * (Rule 110a) (vote)	30
10.7. Local border traffic at the temporary external land borders * (Rule 110a) (vote)	31
10.8. Information and co-ordination of migration management services * (Rule 110a) (vote)	31

10.9. Place of supply of services * (Rule 110a) (vote)	31
10.10. European Space Agency * (Rule 110a) (vote)	31
10.11. Proposal for a Council Decision establishing the Visa Information System (VIS) * (Rule 110a) (vote)	32
10.12. Obligation of carriers to communicate passenger data * (Rule 110a) (vote)	32
10.13. Irish and UK initiatives on a European Police College * (Rule 110a) (vote)	32
10.14. Appointment of a member of the ECB Executive Board (Rule 110a) (vote)	33
10.15. Impact of Community regulations (Rule 110a) (vote)	33
10.16. Equal opportunities for the disabled (Rule 110a) (vote)	33
10.17. Coordination of social security systems ***II (vote)	33
10.18. Minimum safety requirements for tunnels in the Trans-European Road Network ***II (vote)	34
10.19. Quality of ambient air ***I (vote)	34
10.20. Cooperation on consumer protection ***I (vote)	34
10.21. Consumer credit ***I (vote)	35
10.22. Unfair business-to-consumer commercial practices ***I (vote)	35
10.23. Residue levels of pesticides in plant and animal products ***I (vote)	35
10.24. Security of natural gas supply ***I (vote)	36
10.25. Access to gas transmission networks ***I (vote)	36
10.26. Eco-design requirements for Energy-Using Products ***I (vote)	36
10.27. Greenhouse gas emission allowance trading ***I (vote)	37
10.28. Batteries and accumulators ***I (vote)	37
10.29. Charging HGVs for infrastructure ***I (vote)	37
10.30. Social legislation relating to road transport ***I (vote)	38
10.31. European Refugee Fund 2005-2010 * (vote)	38
10.32. Thematic strategy on the prevention and recycling of waste (vote)	38
10.33. Respect for and promotion of the values on which the Union is based (vote)	39
11. Explanations of vote	39
12. Corrections to votes	39
13. Address by Mr Barnier	40
14. Debate on cases of breaches of human rights, democracy and the rule of law (announcement of motions for resolutions tabled)	41
15. Approval of Minutes of previous sitting	42
16. Documents received	42
17. Written declarations (Rule 51)	43
18. Policy challenges and budgetary means of the enlarged Union 2007-2013 (debate)	43
19. Third report on economic and social cohesion (debate)	44
20. Commission's annual policy strategy for 2005 (debate)	44
21. Parliament's preliminary estimates for 2005 (debate)	44
22. Eurostat — 2002 discharge: Section III of the general budget — 2002 discharge: 6th, 7th and 8th EDF — 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget — 2002 discharge: Section I of the general budget — 2002 discharge: decentralised agencies — 2002 discharge: ECSC (debate)	45
23. Agenda	46
24. Application for membership from Croatia (Commission communication)	46
25. Question Time (Commission)	47

(Continued)

26. Eurostat — 2002 discharge: Section III of the general budget — 2002 discharge: 6th, 7th and 8th EDF — 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget — 2002 discharge: Section I of the general budget — 2002 discharge: decentralised agencies — 2002 discharge: ECSC (continuation of debate)	48
27. EC-USA agreement on PNR * (debate)	48
28. Freedom of expression and information (debate)	49
29. Stamping of travel documents * (debate)	49
30. European Monitoring Centre for Drugs and Drug Addiction * (debate)	50
31. Agenda for next sitting	50
32. Closure of sitting	50
ATTENDANCE REGISTER	51
ANNEX I	
RESULTS OF VOTES	53
1. Wider Europe — New Neighbourhood policy *	53
2. Tax reductions on energy products in Cyprus	53
3. Electronic road toll systems ***II	54
4. Community Customs Code ***I	54
5. European Organisation for the Safety of Air Navigation ***	54
6. Local border traffic at the external land borders *	54
7. Local border traffic at the temporary external land borders *	54
8. Information and co-ordination of migration management services *	55
9. Place of supply of services *	55
10. European Space Agency *	55
11. Proposal for a Council Decision establishing the Visa Information System (VIS) *	55
12. Obligation of carriers to communicate passenger data *	55
13. Irish and UK initiatives on a European Police College *	56
14. Appointment of a member of the ECB Executive Board	56
15. Impact of Community regulations	56
16. Equal opportunities for the disabled	56
17. Coordination of social security systems ***II	56
18. Minimum safety requirements for tunnels in the Trans-European Road Network ***II	57
19. Quality of ambient air ***I	57
20. Co-operation on consumer protection ***I	57
21. Consumer credit ***I	58
22. Unfair business-to-consumer commercial practices ***I	62
23. Residue levels of pesticides in plant and animal products ***I	64
24. Security of natural gas supply ***I	66
25. Access to gas transmission networks ***I	66
26. Eco-design requirements for Energy-Using Products ***I	66
27. Greenhouse gas emission allowance trading ***I	68
28. Batteries and accumulators ***I	69
29. Charging HGV's for infrastructure ***I	73
30. Social legislation relating to road transport ***I	76
31. European Refugee Fund 2005-2010 *	78
32. Thematic strategy on the prevention and recycling of waste	78
33. Respect for and promotion of the values on which the Union is based	80

ANNEX II

RESULT OF ROLL-CALL VOTES	81
1. Fourtou report A5-0255/2004 — Resolution	81
2. Randzio-Plath report A5-0273/2004 — Secret vote	82
3. Doorn report A5-0221/2004 — Resolution	83
4. 2nd Wuermeling report A5-0224/2004 — Amendments 48 + 178	84
5. 2nd Wuermeling report A5-0224/2004 — Amendment 178(a)	86
6. 2nd Wuermeling report A5-0224/2004 — Amendment 173	87
7. 2nd Wuermeling report A5-0224/2004 — Amendment 201	88
8. 2nd Wuermeling report A5-0224/2004 — Amendment 202	90
9. Thors report A5-0171/2004 — Amendment 1	91
10. Thors report A5-0171/2004 — Amendment 78	93
11. Blokland report A5-0265/2004 — Amendment 23	94
12. Blokland report A5-0265/2004 — Amendment 82, 1st part	95
13. Blokland report A5-0265/2004 — Amendment 82, 2nd part	97
14. Blokland report A5-0265/2004 — Amendment 118	98
15. Cocilovo report A5-0220/2004 — Amendment 53	99
16. Cocilovo report A5-0220/2004 — Amendment 54	101
17. Cocilovo report A5-0220/2004 — Amendment 55	102
18. Cocilovo report A5-0220/2004 — Amendment 56	104
19. Cocilovo report A5-0220/2004 — Amendment 48	105
20. Markov report A5-0216/2004 — Amendments 52 + 58	106
21. Markov report A5-0216/2004 — Amendments 53 + 59	108
22. Markov report A5-0216/2004 — Amendments 54 + 60	109
23. Markov report A5-0216/2004 — Amendments 55 + 61	110
24. Markov report A5-0216/2004 — Amendment 68	112
25. Florenz report A5-0176/2004 — Amendment 11	113
26. Florenz report A5-0176/2004 — Amendment 12	114
27. Florenz report A5-0176/2004 — Amendment 13	116
28. Florenz report A5-0176/2004 — Amendment 14	117
29. Florenz report A5-0176/2004 — Amendment 15	118
30. Florenz report A5-0176/2004 — Amendment 34	120
31. Florenz report A5-0176/2004 — Amendment 20	121
32. Florenz report A5-0176/2004 — Amendment 21, 1st part	123
33. Florenz report A5-0176/2004 — Amendment 21, 2nd part	124
34. Voggenhuber report A5/0227/2004 — Resolution	125

TEXTS ADOPTED

P5_TA(2004)0278

Wider Europe — New Neighbourhood policy *

European Parliament legislative resolution on the proposal for a Council decision amending Decision 2000/24/EC to take into account the enlargement of European Union and the EU's Wider Europe - New Neighbourhood policy (COM(2003) 603 — C5-0501/2003 — 2003/0232(CNS)) 127

P5_TA(2004)0279

Tax reductions on energy products in Cyprus *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 2003/96/EC as regards the possibility for Cyprus to apply, in respect of energy products and electricity, temporary exemptions or reductions in the levels of taxation (COM(2004)185 – C5-0175/2004 – 2004/0067(CNS)) 127

P5_TA(2004)0280

Electronic road toll systems ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on the interoperability of electronic road toll systems in the Community (6277/1/2004 – C5-0163/2004 – 2003/0081(COD)) 128

P5_TA(2004)0281

Community Customs Code ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (COM(2003)452 – C5-0345/2003 – 2003/0167(COD)) 129

P5_TC1-COD(2003)0167

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code 129

P5_TA(2004)0282

European Organisation for the Safety of Air Navigation ***

European Parliament legislative resolution on the proposal for a Council decision on the conclusion by the European Community of the Protocol on the accession of the European Community to the European Organisation for the Safety of Air Navigation (Eurocontrol) (5747/2004 – COM(2003)555 – C5-0065/2004 – 2003/0214(AVC)) 137

P5_TA(2004)0283

Local border traffic at the external land borders *

European Parliament legislative resolution on the Commission proposal for adoption of a Council regulation on the establishment of a regime of local border traffic at the external land borders between Member States (COM(2003)502 – C5-0442/2003 – 2003/0193(CNS)) 137

P5_TA(2004)0284

Local border traffic at the temporary external land borders *

European Parliament legislative resolution on the Commission proposal for adoption of a Council regulation on the establishment of a regime of local border traffic at the temporary external land borders between Member States (COM(2003)502 – C5-0443/2003 – 2003/0194(CNS)) 140

P5_TA(2004)0285

Web-based information and coordination network *

European Parliament legislative resolution on the proposal for a Council decision establishing a secure web-based Information and Coordination Network for Member States' Migration Management Services (COM(2003)727 – C5-0612/2003 – 2003/0284(CNS)) 141

P5_TA(2004)0286

Place of supply of services *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 77/388/EEC as regards the place of supply of services (COM(2003)822 — C5-0026/2004 — 2003/0329(CNS)) 143

P5_TA(2004)02102

European Space Agency *

European Parliament legislative resolution on the proposal for a Council decision on the conclusion of the Framework Agreement between the European Community and the European Space Agency (COM(2004)85/2 — C5-0099/2004 — 2004/0028(CNS)) 143

P5_TA(2004)0288

European Police College *

European Parliament legislative resolution on the initiative of Ireland with a view to adopting a Council Decision amending Decision 2000/820/JHA establishing a European Police College (CEPOL) (15400/2003 — C5-0001/2004 — 2004/0801(CNS)) 144

P5_TA(2004)0289

European Police College *

European Parliament legislative resolution on the initiative of the United Kingdom with a view to the adoption of a Council Decision amending Decision 2000/820/JHA establishing a European Police College (CEPOL) (5121/2004 — C5-0040/2004 — 2004/0802(CNS)) 145

P5_TA(2004)0290

Appointment of a member of the ECB Executive Board *

European Parliament decision on the draft recommendation of the Council concerning the appointment of Mr José Manuel González-Páramo as a member of the Executive Board of the European Central Bank (6315/2004 — C5-0176/2004 — 2004/0808(CNS)) 146

P5_TA(2004)0291

Impact of Community regulations

European Parliament resolution on assessment of the impact of Community legislation and the consultation procedures 2003/2079(INI)) 146

P5_TA(2004)0292

Equal opportunities for the disabled

European Parliament legislative resolution on the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — Equal opportunities for people with disabilities: A European Action Plan (COM(2003)650 — C5-0039/2004 — 2004/2004(INI)) 148

P5_TA(2004)0293

Coordination of social security systems ***II

European Parliament legislative resolution on the common position adopted by the Council with a view to the adoption of a European Parliament and Council regulation on the coordination of social security systems (15577/6/2003 — C5-0043/2004 — 1998/0360(COD)) 153

P5_TC2-COD(1998)0360

Position of the European Parliament adopted at second reading on 20 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 on the coordination of social security systems 153

Contents (<i>continued</i>)	Page
ANNEX I	
ADVANCES OF MAINTENANCE PAYMENTS AND SPECIAL CHILDBIRTH AND ADOPTION ALLOWANCES (Article 1(z))	193
ANNEX II	
PROVISIONS OF CONVENTIONS WHICH REMAIN IN FORCE AND WHICH, WHERE APPLICABLE, ARE RESTRICTED TO THE PERSONS COVERED THEREBY (Article 8(1))	194
ANNEX III	
RESTRICTION OF RIGHTS TO BENEFITS IN KIND FOR MEMBERS OF THE FAMILY OF A FRONTIER WORKER (Article 18(2))	194
ANNEX IV	
MORE RIGHTS FOR PENSIONERS RETURNING TO THE COMPETENT MEMBER STATE (Article 27(2))	194
ANNEX V	
MORE RIGHTS FOR FORMER FRONTIER WORKERS WHO RETURN TO THEIR PREVIOUS MEMBER STATE OF ACTIVITY AS AN EMPLOYED OR SELF-EMPLOYED PERSON (APPLICABLE ONLY IF THE MEMBER STATE IN WHICH THE COMPETENT INSTITUTION RESPONSIBLE FOR THE COSTS OF THE BENEFITS IN KIND PROVIDED TO THE PENSIONER IN HIS MEMBER STATE OF RESIDENCE IS SITUATED ALSO APPEARS ON THE LIST) (Article 28(2))	195
ANNEX VI	
IDENTIFICATION OF TYPE A LEGISLATION WHICH SHOULD BE SUBJECT TO SPECIAL COORDINATION (Article 44(1))	195
ANNEX VII	
CONCORDANCE BETWEEN THE LEGISLATIONS OF MEMBER STATES ON CONDITIONS RELATING TO THE DEGREE OF INVALIDITY (Article 46(3) of the Regulation)	196
ANNEX VIII	
CASES IN WHICH THE INDEPENDENT BENEFIT IS EQUAL TO OR HIGHER THAN THE PRO-RATA BENEFIT (Article 52(4))	200
ANNEX IX	
BENEFITS AND AGREEMENTS WHICH ALLOW THE APPLICATION OF ARTICLE 54	201
ANNEX X	
SPECIAL NON-CONTRIBUTORY CASH BENEFITS (Article 70(2)(c))	202
ANNEX XI	
SPECIAL PROVISIONS FOR THE APPLICATION OF THE LEGISLATION OF THE MEMBER STATES (Articles 51(3), 56(1) and 83)	203
P5_TA(2004)0294	
Minimum safety requirements for tunnels in the Trans-European Road Network ***II	
European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on minimum safety requirements for tunnels in the Trans-European Road Network (5238/1/2004 – C5-0118/2004 – 2002/0309(COD))	203

P5_TA(2004)0295

Quality of ambient air ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (COM(2003) 423 – C5-0331/2003 – 2003/0164(COD)) 204

P5_TC1-COD(2003)0164

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air 204

ANNEX I

TARGET VALUES FOR ARSENIC, CADMIUM, NICKEL AND BENZO(A)PYRENE 212

ANNEX II

DETERMINATION OF REQUIREMENTS FOR ASSESSMENT OF CONCENTRATIONS OF ARSENIC, CADMIUM, NICKEL AND BENZO(A)PYRENE IN AMBIENT AIR WITHIN A ZONE OR AGGLOMERATION 213

ANNEX III

LOCATION AND MINIMUM NUMBER OF SAMPLING POINTS FOR THE MEASUREMENT OF CONCENTRATIONS IN AMBIENT AIR AND DEPOSITION RATES 213

ANNEX IV

DATA QUALITY OBJECTIVES AND REQUIREMENTS FOR AIR QUALITY MODELS 215

ANNEX V

REFERENCE METHODS FOR ASSESSMENT OF CONCENTRATIONS IN AMBIENT AIR AND DEPOSITION RATES 217

P5_TA(2004)0296

Cooperation on consumer protection ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on cooperation between national authorities responsible for the enforcement of consumer protection laws ('the regulation on consumer protection cooperation') (COM(2003) 443 – C5-0335/2003 – 2003/0162(COD)) 218

P5_TC1-COD(2003)0162

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Regulation (EC) No .../2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws ('the regulation on consumer protection cooperation') 218

ANNEX I

LIST OF DIRECTIVES AND REGULATIONS COVERED BY ARTICLE 3(a) 231

TA(2004)0297

Consumer credit ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers (COM(2002) 443 – C5-0420/2002 – 2002/0222(COD)) .. 233

P5_TC1-COD(2002)0222

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Directive 2004/.../EC of the European Parliament and of the Council on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers	233

ANNEX I

THE BASIC EQUATION EXPRESSING THE EQUIVALENCE OF DRAWDOWNS ON THE ONE HAND AND REPAYMENTS AND CHARGES ON THE OTHER	249

ANNEX II

EXAMPLES OF CALCULATION OF THE ANNUAL PERCENTAGE RATE OF CHARGE	250

P5_TA(2004)0298

Unfair business-to-consumer commercial practices ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive concerning unfair business-to-consumer commercial practices in the Internal Market and amending Directives 84/450/EEC, 97/7/EC and 98/27/EC (the Unfair Commercial Practices Directive) (COM(2003) 356 – C5-0288/2003 – 2003/0134(COD))	260

P5_TC1-COD(2003)0134

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC concerning unfair business-to-consumer commercial practices in the Internal Market and amending Directives 84/450/EEC, 97/7/EC and 98/27/EC (the Unfair Commercial Practices Directive)	261

ANNEX 1

COMMERCIAL PRACTICES, WHICH ARE IN ALL CIRCUMSTANCES CONSIDERED UNFAIR	274

ANNEX 2

COMMUNITY LAW PROVISIONS SETTING OUT RULES FOR ADVERTISING AND COMMERCIAL COMMUNICATION	276

P5_TA(2004)0299

Residue levels of pesticides in plant and animal products ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on on maximum residue levels of pesticides in products of plant and animal origin (COM(2003) 117 – C5-0108/2003 – 2003/0052(COD))	278

P5_TC1-COD(2003)0052

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Regulation (EC) No .../2004 of the European Parliament and of the Council on maximum residue levels of pesticides in products of plant and animal origin	278

ANNEXES	302

P5_TA(2004)0300

Security of natural gas supply ***I

European Parliament legislative resolution on amendment of the legal basis and on the 'general orientation' of the Council with a view to adoption of a directive of the European Parliament and of the Council concerning measures to safeguard security of natural gas supply (15769/2003 – C5-0027/2004 – 2002/0220(COD))	304

P5_TA(2004)0301

Access to gas transmission networks ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on conditions for access to the gas transmission networks (COM(2003) 741 – C5-0644/2003 – 2003/0302(COD))	305

P5_TC1-COD(2003)0302

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 on conditions for access to the gas transmission networks	306

ANNEX

GUIDELINES ON THIRD PARTY ACCESS SERVICE	316

P5_TA(2004)0302

Eco-design requirements for energy-using products ***I

European Parliament legislative resolution on the proposal for a directive of the European Parliament and of the Council on establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/EEC (COM(2003) 453 – C5-0369/2003 – 2003/0172(COD))	319

P5_TC1-COD(2003)0172

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC on establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/EEC	320

ANNEX I

METHODS FOR SETTING GENERIC ECO-DESIGN REQUIREMENTS	338

ANNEX II

METHOD FOR SETTING THE LEVEL OF SPECIFIC ECO-DESIGN REQUIREMENTS	341

ANNEX III

CE MARKINGS	343

ANNEX IV

INTERNAL DESIGN CONTROL	343

ANNEX V

DECLARATION OF CONFORMITY	344

ANNEX VI

CONTENTS OF THE IMPLEMENTING MEASURES	344

ANNEX VII

MINIMUM ELIGIBILITY CRITERIA FOR SELF-REGULATORY INITIATIVES IN THE CONTEXT OF THIS DIRECTIVE	345

P5_TA(2004)0303

Greenhouse gas emission allowance trading ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending the Directive establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms (COM(2003) 403 – C5-0355/2003 – 2003/0173(COD))	346

P5_TC1-COD(2003)0173

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Directive 2004/.../EC of the European Parliament and of the Council amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms	347

P5_TA(2004)0304

Batteries and accumulators ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council Directive on batteries and accumulators and spent batteries and accumulators (COM(2003) 723 – C5-0563/2003 – 2003/0282(COD))	354

P5_TC1-COD(2003)0282

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC on batteries and accumulators and spent batteries and accumulators	355

ANNEX I

MONITORING OF COMPLIANCE WITH THE COLLECTION TARGETS IN ACCORDANCE WITH ARTICLE 13	370

ANNEX II

SYMBOL FOR THE MARKING OF BATTERIES, ACCUMULATORS AND BATTERY PACKS FOR SEPARATE COLLECTION	370

ANNEX III

BATTERIES AND ACCUMULATORS IN APPLICATIONS EXEMPTED FROM THE PROHIBITION IN ARTICLE 4(1)	370

ANNEX IV

LIST OF THE CATEGORIES OF APPLIANCE EXCLUDED FROM THE SCOPE OF ARTICLE 5	371

P5_TA(2004)0305

Charging HGVs for infrastructure ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (COM(2003) 448 – C5-0351/2003 – 2003/0175(COD))	371

P5_TC1-COD(2003)0175

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Directive 2004/.../EC of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures	372

ANNEX I	381

ANNEX II	382

P5_TA(2004)0306

Social legislation relating to road transport ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on minimum conditions for the implementation of Directive 2002/15/EC and Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities (COM(2003) 628 – C5-0601/2003 – 2003/0255(COD))	385

P5_TC1-COD(2003)0255

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC on minimum conditions for the implementation of Directive 2002/15/EC and Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities	385

ANNEX I	394

ANNEX II	395

P5_TA(2004)0307

European Refugee Fund 2005-2010 *

European Parliament legislative resolution on the Commission proposal for a Council decision establishing the European Refugee Fund for the period 2005-2010 (COM(2004) 102 – C5-0096/2004 – 2004/0032(CNS)) 395

P5_TA(2004)0308

Waste prevention and recycling

European Parliament resolution on the communication from the Commission: Towards a thematic strategy on the prevention and recycling of waste (COM(2003) 301 – C5-0385/2003 – 2003/2145(INI)) 401

P5_TA(2004)0309

Respect for and promotion of the values on which the Union is based

European Parliament legislative resolution on the Commission communication on Article 7 of the Treaty on European Union: Respect for and promotion of the values on which the Union is based (COM(2003) 606 – C5-0594/2003 – 2003/2249(INI)) 408

Wednesday 21 April 2004

(2004/C 104E/03)

MINUTES

PROCEEDINGS OF THE SITTING	412
1. Opening of sitting	412
2. Documents received	412
3. Decisions concerning certain documents	413
4. Cyprus (statements followed by debate)	413
5. Situation in the Middle East (statements followed by debate)	414
6. Transatlantic relations (statements followed by debate)	414
7. Announcement by the President (allegations of fraud)	415
8. Voting time	416
8.1. 2005 EP part-sessions calendar (vote)	416
8.2. EC-USA agreement on PNR (request for an opinion from the Court of Justice) (vote) ..	417
9. Official welcome	417
10. Voting time (continued)	417
10.1. Freedom of expression and information (decision on voting procedure)	417
10.2. Common rules for carriage of goods by road ***I (Rule 110a) (vote)	418
10.3. Quality of fresh water needed for fish ***I (Rule 110a) (vote)	418
10.4. UNECE specifications for motor fuels *** (Rule 110a) (vote)	419
10.5. UNECE regulation to protect motor vehicles against unauthorised use *** (Rule 110a) (vote)	419
10.6. UNECE regulation on tyre rolling noise *** (Rule 110a) (vote)	419
10.7. Re-exportation and re-dispatch of products covered by the specific supply arrangements * (Rule 110a) (vote)	420
10.8. Interest and royalty payments made between associated companies of different Member States * (Rule 110a) (vote)	420
10.9. Community participation in the European Audiovisual Observatory ***I (Rule 110a) (vote)	420
10.10. WHO Framework Convention on Tobacco Control * (Rule 110) (vote)	420

10.11. Fruit jams, jellies and marmalades * (Rule 110a) (vote)	421
10.12. 2002 discharge: decentralised agencies (Rule 110a) (vote)	421
10.13. 2002 discharge: ECSC (Rule 110a) (vote)	421
10.14. Development of the trans-European transport network ***II (vote)	422
10.15. Agricultural holdings after enlargement ***I (vote)	422
10.16. Financial Instrument for the Environment (LIFE) ***I (vote)	422
10.17. EC-USA agreement on PNR * (vote)	423
10.18. Stamping of travel documents * (vote)	423
10.19. European Monitoring Centre for Drugs and Drug Addiction * (vote)	423
10.20. 2002 discharge: Section III of the general budget (vote)	424
10.21. 2002 discharge: 6th, 7th and 8th EDF (vote)	424
10.22. 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget (vote)	424
10.23. 2002 discharge: Section I of the general budget (vote)	425
10.24. Modernising company law and enhancing corporate governance (vote)	426
10.25. Cyprus (vote)	426
10.26. Single payment area (vote)	426
10.27. Integrated product policy (vote)	427
10.28. Safety at sea (vote)	427
11. Agenda	427
12. Explanations of vote	427
13. Corrections to votes	428
14. Approval of Minutes of previous sitting	431
15. Official welcome	431
16. Transatlantic relations (continuation of debate)	431
17. Situation in Pakistan (debate)	432
18. Human rights in 2003 and EU policy (debate)	432
19. Democracy, rule of law, human rights and fundamental freedoms in third countries ***I (debate)	433
20. 'European Capital of Culture' event for the years 2005 to 2019 ***I (debate)	433
21. Agenda	433
22. Transparency of qualifications and competences (Europass) ***I (debate)	433
23. Motion of censure (debate)	434
24. Development of the Community's railways ***III — Railway safety ***III — Interoperability of the trans-European conventional rail system ***III — European Railway Agency ***III (debate)	434
25. Programme for enterprise and entrepreneurship ***I (debate)	435
26. More accessible digital content ***I (debate)	436
27. Agenda for next sitting	436
28. Closure of sitting	436
ATTENDANCE REGISTER	437
ANNEX I	
RESULTS OF VOTES	439
1. Calendar of part-sessions of the European Parliament for 2005 *	439
2. EC-USA agreement on PNR (request for consultation of the Court of Justice) *	439

Contents (<i>continued</i>)	Page
3. Common rules for carriage of goods by road (codified version) ***I	440
4. Quality of fresh water needed for fish (codified version) ***I	440
5. UNECE specifications for motor fuels ***	440
6. UNECE regulation to protect motor vehicles against unauthorised use ***	440
7. UNECE regulation on tyre rolling noise ***	440
8. Re-exportation and re-dispatch of products covered by the specific supply arrangements *	440
9. Interest and royalty payments made between associated companies of different Member States *	441
10. Community participation in the European Audiovisual Observatory ***I	441
11. WHO Framework Convention on Tobacco Control *	441
12. Fruit jams, jellies and marmalades *	441
13. 2002 discharges: decentralised agencies	441
14. 2002 discharge: ECSC	441
15. Development of the trans-European transport network ***II	442
16. Agricultural holdings after enlargement ***I	442
17. Financial Instrument for the Environment (LIFE) ***I	442
18. EC-USA agreement on PNR *	443
19. Stamping of travel documents *	443
20. European Monitoring Centre for Drugs and Drug Addiction *	443
21. 2002 discharge: Section III of general budget	444
22. 2002 discharge: 6th, 7th and 8th EDF	445
23. 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget	446
24. 2002 discharge: Section I of general budget	447
25. Modernising company law and enhancing corporate governance	449
26. Cyprus	450
27. Single payment area	451
28. Integrated product policy	452
29. Safety at sea	453
 ANNEX II	
RESULT OF ROLL-CALL VOTES	456
1. Gargani report A5-0250/2004 — Resolution	456
2. Bradbourn recommendation A5-0278/2004 — Amendment 1	457
3. Bradbourn recommendation A5-0278/2004 — Amendment 2	458
4. Bradbourn recommendation A5-0278/2004 — Amendment 3	460
5. Jackson report A5-0137/2004 — Amendment 9	461
6. Angelilli report A5-0229/2004 — Amendment 13	463
7. Bayona De Perogordo report A5-0200/2004 — Decision	464
8. Bayona De Perogordo report A5-0200/2004 — Paragraph 13, 4th indent, 1st part	465
9. Bayona De Perogordo report A5-0200/2004 — Paragraph 13, 4th indent, 2nd part	467
10. Bayona De Perogordo report A5-0200/2004 — Amendment 8	468
11. Bayona De Perogordo report A5-0200/2004 — Amendment 6	469
12. Bayona De Perogordo report A5-0200/2004 — Amendment 11	471
13. Bayona De Perogordo report A5-0200/2004 — Paragraph 117	472
14. van Hulten report A5-0218/2004 — Amendment 39	473
15. van Hulten report A5-0218/2004 — Amendment 40	475

Contents (<i>continued</i>)	Page
16. van Hulten report A5-0218/2004 — Amendment 2/rev.	476
17. van Hulten report A5-0218/2004 — Amendments 3/rev. + 6	478
18. van Hulten report A5-0218/2004 — Amendment 4/rev.	479
19. van Hulten report A5-0218/2004 — Amendment 33	481
20. van Hulten report A5-0218/2004 — Amendment 35	482
21. van Hulten report A5-0218/2004 — Amendment 34, 1st part	484
22. van Hulten report A5-0218/2004 — Amendment 44	485
23. van Hulten report A5-0218/2004 — Amendment 16	487
24. van Hulten report A5-0218/2004 — Amendment 17	488
25. van Hulten report A5-0218/2004 — Amendment 18	489
26. van Hulten report A5-0218/2004 — Amendment 19	491
27. van Hulten report A5-0218/2004 — Amendment 20	492
28. van Hulten report A5-0218/2004 — Resolution	494
29. Ghilardotti report A5-0253/2004 — Paragraph 21	495
30. B5-0188/2004 — Cyprus — Paragraph 2	497
31. B5-0188/2004 — Cyprus — Amendment 4	498
32. B5-0188/2004 — Cyprus — Amendment 6	499
33. B5-0188/2004 — Cyprus — Amendment 15	501
34. B5-0188/2004 — Cyprus — Paragraph 11	502
35. B5-0188/2004 — Cyprus — Resolution	503
36. Radwan report A5-0192/2004 — Amendment 5, 1st part	505
37. Radwan report A5-0192/2004 — Amendment 5, 2nd part	506
38. Radwan report A5-0192/2004 — Amendment 6	508
39. Wijkman report A5-0261/2004 — Amendment 19	509
40. Wijkman report A5-0261/2004 — Amendment 7	510
41. Wijkman report A5-0261/2004 — Amendment 24	511
42. Wijkman report A5-0261/2004 — Amendment 13	513
43. Wijkman report A5-0261/2004 — Amendment 15	514
44. Wijkman report A5-0261/2004 — Resolution	515
45. Sterckx report A5-0257/2004 — Amendment 10	517
46. Sterckx report A5-0257/2004 — Amendment 11	518
47. Sterckx report A5-0257/2004 — Amendment 12	519
48. Sterckx report A5-0257/2004 — Amendment 9, 2nd part	521
49. Sterckx report A5-0257/2004 — Amendment 3	522
50. Sterckx report A5-0257/2004 — Amendment 16	524
51. Sterckx report A5-0257/2004 — Amendment 14	525
52. Sterckx report A5-0257/2004 — Amendment 4	526
53. Sterckx report A5-0257/2004 — Paragraph 39	527
54. Sterckx report A5-0257/2004 — Amendment 5	529
55. Sterckx report A5-0257/2004 — Amendment 18	530
56. Sterckx report A5-0257/2004 — Amendment 13	531
57. Sterckx report A5-0257/2004 — Amendment 19	533
58. Sterckx report A5-0257/2004 — Amendment 1, 1st part	534
59. Sterckx report A5-0257/2004 — Amendment 1, 2nd part	535
60. Sterckx report A5-0257/2004 — Paragraph 50, 1st part	537

Contents (<i>continued</i>)	Page
61. Sterckx report A5-0257/2004 – Paragraph 50, 2nd part	538
62. Sterckx report A5-0257/2004 – Amendment 2	539
63. Sterckx report A5-0257/2004 – Amendment 21	541
64. Sterckx report A5-0257/2004 – Recital K	542
65. Sterckx report A5-0257/2004 – Resolution	543

TEXTS ADOPTED

P5_TA(2004)0310

Common rules for carriage of goods by road ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the establishment of common rules for certain types of carriage of goods by road (codified version) (COM(2004) 47 – C5-0055/2004 – 2004/0017(COD)) 545

P5_TA(2004)0311

Quality of fresh water needed for fish ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the quality of fresh waters needing protection or improvement in order to support fish life (codified version) (COM(2004) 19 – C5-0038/2004 – 2004/0002(COD)) 545

P5_TA(2004)0312

UNECE specifications for motor fuels ***

European Parliament legislative resolution on the proposal for a Council Decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on the adoption of uniform technical prescriptions concerning the burning behaviour of materials used in the interior construction of certain categories of motor vehicles (COM(2003) 630 – 5049/2004 – C5-0106/2004 – 2003/0247(AVC)) 546

P5_TA(2004)0313

UNECE regulation to protect motor vehicles against unauthorised use ***

European Parliament legislative resolution on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use (COM(2003) 632 – 5048/2004 – C5-0105/2004 – 2003/0248(AVC)) 547

P5_TA(2004)0314

UNECE regulation on tyre rolling noise ***

European Parliament legislative resolution on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on the adoption of uniform prescriptions for the type approval of tyres with respect to tyre rolling noise (COM(2003) 635 – 5047/2004 – C5-0107/2004 – 2003/0254(AVC)) 547

P5_TA(2004)0315

Re-exportation and re-dispatch of products covered by the specific supply arrangements *

European Parliament legislative resolution on the proposal for a Council regulation amending Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards the conditions for the re-exportation and re-dispatch of products covered by the specific supply arrangements (COM(2004) 155 – C5-0129/2004 – 2004/0051(CNS)) 548

P5_TA(2004)0316

Interest and royalty payments made between associated companies of different Member States *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 2003/49/EC as regards the possibility for certain Member States to apply transitional periods for the application of a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States (COM(2004) 243 — C5-0187/2004 — 2004/0076(CNS)) 548

P5_TA(2004)0317

Community participation in the European Audiovisual Observatory ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory (COM(2003) 763 — C5-0622/2003 — 2003/0293(COD)) 549

P5_TC1-COD(2003)0293

Position of the European Parliament adopted at first reading on 21 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory 550

P5_TA(2004)0318

WHO Framework Convention on Tobacco Control *

European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion of the World Health Organisation Framework Convention on Tobacco Control (COM(2003) 807 — C5-0028/2004 — 2003/0316(CNS)) 551

P5_TA(2004)0319

Fruit jams, jellies and marmalades *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption (COM(2004) 151 — C5-0128/2004 — 2004/0052(CNS)) 552

P5_TA(2004)0320

Discharge 2002: European Agency for Reconstruction

1. European Parliament decision on the discharge to the Director of the European Agency for Reconstruction for the financial year 2002 (C5-0632/2003 — 2003/2242(DEC)) 553
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Agency for Reconstruction in respect of the implementation of its budget for the financial year 2002 (C5-0632/2003 — 2003/2242(DEC)) 554

P5_TA(2004)0321

Discharge 2002: European Agency for Safety and Health at Work

1. European Parliament decision on the discharge to the Director of the European Agency for Safety and Health at Work in respect of the implementation of its budget for the financial year 2002 (C5-0636/2003 — 2003/2246(DEC)) 559
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Agency for Safety and Health at Work in respect of the implementation of its budget for the financial year 2002 (C5-0636/2003 — 2003/2246(DEC)) 560

P5_TA(2004)0322

Discharge 2002: European Environment Agency

1. European Parliament decision on the discharge to the Director of the European Environment Agency in respect of the implementation of its budget for the financial year 2002 (C5-0635/2003 — 2003/2245(DEC)) 564

2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Environment Agency in respect of the implementation of its budget for the financial year 2002 (C5-0635/2003 – 2003/2245(DEC)) 565

P5_TA(2004)0323

Discharge 2002: European Agency for the Evaluation of Medicinal Products

1. European Parliament decision on the discharge to the Director of the European Agency for the Evaluation of Medicinal Products in respect of the implementation of its budget for the financial year 2002 (C5-0638/2003 – 2003/2255(DEC)) 570
2. European parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Agency for the Evaluation of Medicinal Products in respect of the implementation of its budget for the financial year 2002 (C5-0638/2003 – 2003/2255(DEC)) 571

P5_TA(2004)0324

Discharge 2002: Translation Centre

1. European Parliament decision on the discharge to the Director of the Translation Centre for the bodies of the European Union in respect of the implementation of its budget for the financial year 2002 (C5-0637/2003 – 2003/2247(DEC)) 576
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the Translation Centre for the bodies of the European Union in respect of the implementation of its budget for the financial year 2002 (C5-0637/2003 – 2003/2247(DEC)) 576

P5_TA(2004)0325

Discharge 2002: Centre for the Development of Vocational Training

1. European Parliament decision on the discharge to the Director of the Centre for the Development of Vocational Training in respect of the implementation of its budget for the financial year 2002 (C5-0630/2003 – 2003/2240(DEC)) 581
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the Centre for the Development of Vocational Training in respect of the implementation of its budget for the financial year 2002 (C5-0630/2003 – 2003/2240(DEC)) 582

P5_TA(2004)0326

Discharge 2002: Eurojust

1. European Parliament decision on the discharge to the Director of Eurojust in respect of the implementation of its budget for the financial year 2002 (C5-0662/2003 – 2003/2256(DEC)) 587
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of Eurojust in respect of the implementation of its budget for the financial year 2002 (C5-0662/2003 – 2003/2256(DEC)) 588

P5_TA(2004)0327

Discharge 2002: European Training Foundation

1. European Parliament decision on the discharge to the Director of the European Training Foundation in respect of the implementation of its budget for the financial year 2002 (C5-0641/2003 – 2003/2259(DEC)) 592
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Training Foundation in respect of the implementation of its budget for the financial year 2002 (C5-0641/2003 – 2003/2259(DEC)) 593

P5_TA(2004)0328

Discharge 2002: European Foundation for the Improvement of Living and Working Conditions

1. European Parliament decision on the discharge to the Director of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial year 2002 (C5-0631/2003 – 2003/2241(DEC)) 598
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial year 2002 (C5-0631/2003 – 2003/2241(DEC)) 599

P5_TA(2004)0329

Discharge 2002: European Monitoring Centre for Drugs and Drug Addiction

1. European Parliament decision on the discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2002 (C5-0634/2003 – 2003/2244 (DEC)) 603
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2002 (C5-0634/2003 – 2003/2244 (DEC)) 604

P5_TA(2004)0330

Discharge 2002: European Monitoring Centre on Racism and Xenophobia

1. European Parliament decision on the discharge to the Director of the European Monitoring Centre on Racism and Xenophobia in respect of the implementation of its budget for the financial year 2002 (C5-0633/2003 – 2003/2243(DEC)) 609
2. European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Monitoring Centre on Racism and Xenophobia in respect of the implementation of its budget for the financial year 2002 (C5-0633/2003 – 2003/2243(DEC)) 610

P5_TA(2004)0331

2002 discharge: ECSC

1. European Parliament decision concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002 (C5-0646/2003 – 2003/2218(DEC)) 615
2. European parliament resolution containing the comments accompanying the decision concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002 (C5-0646/2003 – 2003/2218(DEC)) 615

P5_TA(2004)0332

Development of the trans-European transport network ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council decision amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European transport network (5762/1/2004 – C5-0184/2004 – 2001/0229(COD)) 619

P5_TA(2004)0333

Community surveys on agricultural holdings after enlargement ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings after enlargement (COM(2003) 605 – C5-0477/2003 – 2003/0234(COD)) 620

P5_TC1-COD(2003)0234

Position of the European Parliament adopted at first reading on 21 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 amending, as a result of enlargement, Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings 621

P5_TA(2004)0334

Financial instrument for the Environment (LIFE) ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE) (COM(2003) 667 – C5-0527/2003 – 2003/0260(COD)) 622

P5_TC1-COD(2003)0260

Position of the European Parliament adopted at first reading on 21 April 2004 with a view to the adoption of European Parliament and Council regulation (EC) No .../2004 amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE) 623

P5_TA(2004)0335

Stamping of travel documents *

European Parliament legislative resolution on the proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the common manual to this end (COM(2003) 664 – C5-0580/2003 – 2003/0258(CNS)) 628

P5_TA(2004)0336

European Monitoring Centre for Drugs and Drug Addiction *

European Parliament legislative resolution on the proposal for a Council regulation on the European Monitoring Centre for Drugs and Drug Addiction – (recast) (COM(2003) 808 – C5-0060/2004 – 2003/0311(CNS)) 632

P5_TA(2004)0337

2002 discharge: section III of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Commission) (SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC)) 638
2. European Parliament decision closing the accounts in respect of the implementation of the general budget of the European Union for the 2002 financial year (Commission) (SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC)) 639
3. European Parliament resolution accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Commission) (SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC)) 640

P5_TA(2004)0338

2002 discharge: 6th, 7th and 8th EDF

1. European parliament decision on the discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC)) 677
2. European parliament decision on closing the accounts of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC)) 678
3. European Parliament resolution containing the comments accompanying the decision concerning discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC)) 680

P5_TA(2004)0339

2002 discharge: Section II of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section II — Council (I5-0034/2003 — C5-0088/2004 — 2003/2212(DEC)) 687
2. European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section II — Council (I5-0034/2003 — C5-0088/2004 — 2003/2212(DEC)) 688

P5_TA(2004)0340

2002 discharge: Section IV of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section IV — Court of Justice (I5-0034/2003 — C5-0088/2004 — 2003/2213(DEC)) 690
2. European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section IV — Court of Justice (I5-0034/2003 — C5-0088/2004 — 2003/2213(DEC)) 690

P5_TA(2004)0341

2002 discharge: Section V of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section V — Court of Auditors (I5-0034/2003 — C5-0088/2004 — 2003/2214(DEC)) 692
2. European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section V — Court of Auditors (I5-0034/2003 — C5-0088/2004 — 2003/2214(DEC)) 693

P5_TA(2004)0342

2002 discharge: Section VI of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section VI — European Economic and Social Committee (I5-0034/2003 — C5-0088/2004 — 2003/2215(DEC)) 697
2. European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section VI — European Economic and Social Committee (I5-0034/2003 — C5-0088/2004 — 2003/2215(DEC)) 698

P5_TA(2004)0343

2002 discharge: Section VII of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section VII — Committee of the Regions (I5-0034/2003 — C5-0088/2004 — 2003/2216(DEC)) 699
2. European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section VII — Committee of the Regions (I5-0034/2003 — C5-0088/2004 — 2003/2216(DEC)) 700

P5_TA(2004)0344

2002 discharge: Section VIII of the general budget

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section VIII — Ombudsman (I5-0034/2003 — C5-0088/2004 — 2003/2217(DEC)) 702
2. European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section VIII — Ombudsman (I5-0034/2003 — C5-0088/2004 — 2003/2217(DEC)) 702

P5_TA(2004)0345

2002 discharge: Section I

1. European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Section I — European Parliament) (I5-0034/2003 — C5-0088/2004 — 2003/2211(DEC)) 703
2. European Parliament resolution accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Section I — European Parliament) (I5-0034/2003 — C5-0088/2004 — 2003/2211(DEC)) 704

P5_TA(2004)0346

Modernising company law and enhancing corporate governance

European Parliament resolution on the communication from the Commission to the Council and the European Parliament: Modernising company law and enhancing corporate governance in the European Union — A plan to move forward (COM(2003) 284 — C5-0378/2003 — 2003/2150(INI)) 714

P5_TA(2004)0347

Cyprus

European Parliament resolution on Cyprus 720

P5_TA(2004)0348

Single payment area

European Parliament resolution on a legal framework for a single payment area (2003/2101(INI)) .. 722

P5_TA(2004)0349

Integrated product policy

European Parliament resolution on the communication from the Commission to the Council and the European Parliament on Integrated Product Policy — Building on Environmental Life-Cycle Thinking (COM(2003) 302 — C5-0550/2003 — 2003/2221(INI)) 725

P5_TA(2004)0350

Safety at sea

European Parliament resolution on improving safety at sea (2003/2235(INI)) 730

Thursday 22 April 2004

(2004/C 104 E/04)

MINUTES

PROCEEDINGS OF THE SITTING	739
1. Opening of sitting	739
2. Documents received	739
3. Trial against Leyla Zana and others in Ankara (statement followed by debate)	739
4. Broad guidelines of economic policy — Guidelines for employment policy in the Member States * (debate)	740
5. Official welcome	741
6. Disqualification from office of Michel Raymond	741
7. Voting time	741
7.1. Beekeeping * (Rule 110a) (vote)	742
7.2. Proposal for a Council Decision establishing the Visa Information System (VIS) * (Rule 110a) (vote final)	742
7.3. Privileges and immunities of Mr Bossi, a former Member of the European Parliament (Rule 110a) (vote)	742

7.4.	Privileges and immunities of Mr Bossi, a former Member of the European Parliament (second request) (Rule 110a) (vote)	743
7.5.	Development of the Community's railways ***III (vote)	743
7.6.	Railway safety ***III (vote)	743
7.7.	Interoperability of the trans-European rail system ***III (vote)	743
7.8.	European Railway Agency ***III (vote)	744
7.9.	Amending budget No 6/2004 (Rule 110a) (vote)	744
7.10.	Democracy, rule of law, human rights and fundamental freedoms in third countries ***I (vote)	744
7.11.	'European Capital of Culture' event for the years 2005 to 2019 ***I (vote)	745
7.12.	Transparency of qualifications and competences (Europass) ***I (vote)	745
7.13.	Programme for enterprise and entrepreneurship ***I (vote)	745
7.14.	More accessible digital content ***I (vote)	746
7.15.	EC-Pakistan Cooperation Agreement * (vote)	746
7.16.	Guidelines for employment policy in the Member States * (vote)	746
7.17.	Policy challenges and budgetary means of the enlarged Union 2007-2013 (vote)	747
7.18.	Third report on economic and social cohesion (vote)	747
7.19.	Commission's annual policy strategy for 2005 (vote)	747
7.20.	Parliament's preliminary estimates for 2005 (vote)	747
7.21.	EIB annual report (vote)	748
7.22.	Eurostat (vote)	748
7.23.	Freedom of expression and information (vote)	748
7.24.	Situation in Pakistan (vote)	749
7.25.	Transatlantic relations (vote)	749
7.26.	Human rights in 2003 and EU policy (vote)	749
7.27.	Outcome of the trial against Leyla Zana and others in Ankara (vote)	750
7.28.	Broad guidelines of economic policy (vote)	750
8.	Explanations of vote	750
9.	Corrections to votes	751
10.	Approval of Minutes of previous sitting	754
11.	Women in South-East Europe (debate)	754
12.	Review of Ottawa Treaty on anti-personnel mines (statement followed by debate)	754
13.	Cuba (debate)	755
14.	Sport products for the Olympic Games (debate)	755
15.	Nigeria (debate)	756
16.	Voting time	756
16.1.	Cuba (vote)	756
16.2.	Sport products for the Olympic Games (vote)	757
16.3.	Nigeria (vote)	757
16.4.	Women in South-East Europe (vote)	757
16.5.	Review of Ottawa Treaty on anti-personnel mines (vote)	758
17.	Corrections to votes	758
18.	Membership of committees	758
19.	Written declarations included in the register (Rule 51)	758

Contents (<i>continued</i>)	Page
20. Forwarding of texts adopted during the sitting	759
21. Dates for next sittings	759
22. Adjournment of session	759
ATTENDANCE REGISTER	760
ANNEX I	
RESULTS OF VOTES	761
1. Beekeeping *	761
2. Proposal for a Council Decision establishing the Visa Information System (VIS) *	761
3. Privileges and immunities of Mr Bossi, a former Member of the European Parliament *	762
4. Privileges and immunities of Mr Bossi, a former Member of the European Parliament *	762
5. Development of the Community's railways ***III	762
6. Safety on the Community's railways ***III	762
7. Interoperability of the trans-European rail system ***III	762
8. European Railway Agency ***III	763
9. Amending budget No 6/2004	763
10. Democracy, rule of law, human rights and fundamental freedoms in third countries ***I	763
11. 'European Capital of Culture' event for the years 2005 to 2019 ***I	763
12. Transparency of qualifications and competences (Europass) ***I	764
13. Programme for enterprise and entrepreneurship ***I	765
14. More accessible digital content ***I	765
15. EC-Pakistan Cooperation Agreement *	765
16. Guidelines for the employment policies in the Member States *	765
17. Policy challenges and budgetary means of the enlarged Union 2007-2013	766
18. Third report on economic and social cohesion	769
19. Commission's annual policy strategy for 2005	772
20. Parliament's preliminary estimates for 2005	774
21. EIB annual report	774
22. Eurostat	775
23. Freedom of expression and information	775
24. Situation in Pakistan	778
25. Transatlantic Relationship	778
26. Human rights in 2003 and EU policy	780
27. Outcome of the trial against Leyla Zana and others in Ankara	782
28. Broad guidelines of economic policy	782
29. Cuba	783
30. Sport products for the Olympic Games	783
31. Nigeria	784
32. Women in South-East Europe	784
33. Review of Ottawa Treaty on anti-personnel mines	785
ANNEX II	
RESULT OF ROLL-CALL VOTES	
1. Lulling report A5-0232/2003 — Resolution	786
2. Jarzembowski report A5-0242/2004 — Joint text	787

(Continued)

Contents (<i>continued</i>)	Page
3. Sterckx report A5-0245/2004 — Joint text	788
4. Rocard report A5-0148/2004 — Amendment 1, 1st part	790
5. Rocard report A5-0148/2004 — Amendment 1, 2nd part	791
6. Rocard report A5-0148/2004 — Amendment 6, 1st part	792
7. Rocard report A5-0148/2004 — Amendment 6, 2nd part	793
8. Rocard report A5-0148/2004 — Amendment 8	795
9. Rocard report A5-0148/2004 — Amendment 10	796
10. Rocard report A5-0148/2004 — Commission proposal	797
11. Rocard report A5-0148/2004 — Resolution	799
12. Wynn report A5-0268/2004 — Amendment 9	800
13. Wynn report A5-0268/2004 — Paragraph 7	801
14. Wynn report A5-0268/2004 — Amendment 17	803
15. Wynn report A5-0268/2004 — Paragraph 10	804
16. Wynn report A5-0268/2004 — Amendment 10	805
17. Wynn report A5-0268/2004 — Amendment 11	807
18. Wynn report A5-0268/2004 — Amendment 18	808
19. Wynn report A5-0268/2004 — Paragraph 17	809
20. Wynn report A5-0268/2004 — Amendment 16	811
21. Wynn report A5-0268/2004 — Amendment 13	812
22. Wynn report A5-0268/2004 — Amendment 5	813
23. Wynn report A5-0268/2004 — Paragraph 36	815
24. Wynn report A5-0268/2004 — Amendment 19	816
25. Wynn report A5-0268/2004 — Amendment 21	818
26. Wynn report A5-0268/2004 — Amendment 22	819
27. Wynn report A5-0268/2004 — Visa 4	820
28. Hatzidakis report A5-0272/2004 — Amendment 27	822
29. Hatzidakis report A5-0272/2004 — Amendment 32	823
30. Hatzidakis report A5-0272/2004 — Amendment 37	824
31. Garriga Polledo report A5-0269/2004 — Amendment 1	826
32. Garriga Polledo report A5-0269/2004 — Paragraph 20	827
33. Garriga Polledo report A5-0269/2004 — Paragraph 21	828
34. Garriga Polledo report A5-0269/2004 — Paragraph 22	830
35. Garriga Polledo report A5-0269/2004 — Amendment 5, 1st part	831
36. Garriga Polledo report A5-0269/2004 — Amendment 5, 2nd part	832
37. Garriga Polledo report A5-0269/2004 — Amendment 15	833
38. Garriga Polledo report A5-0269/2004 — Paragraph 26	835
39. Garriga Polledo report A5-0269/2004 — Paragraph 29	836
40. Kuckelkorn report A5-0236/2004 — Amendment 1	837
41. Randzio-Plath report A5-0258/2004 — Amendment 8	839
42. Randzio-Plath report A5-0258/2004 — Amendment 3	840
43. Randzio-Plath report A5-0258/2004 — Paragraph 8	841
44. Randzio-Plath report A5-0258/2004 — Amendment 1	843
45. B5-0218/2004 — RC — Eurostat — Amendment 3	844
46. B5-0218/2004 — RC — Eurostat — Amendment 1	845
47. B5-0218/2004 — RC — Eurostat — Resolution	847

Contents (<i>continued</i>)	Page
48. Boogerd-Quaak report A5-0230/2004 – Paragraph 1	848
49. Boogerd-Quaak report A5-0230/2004 – Paragraph 2	849
50. Boogerd-Quaak report A5-0230/2004 – Paragraph 3	850
51. Boogerd-Quaak report A5-0230/2004 – Paragraph 4	851
52. Boogerd-Quaak report A5-0230/2004 – Paragraph 5	852
53. Boogerd-Quaak report A5-0230/2004 – Paragraph 6	853
54. Boogerd-Quaak report A5-0230/2004 – Paragraph 7	854
55. Boogerd-Quaak report A5-0230/2004 – Paragraph 8	855
56. Boogerd-Quaak report A5-0230/2004 – Paragraph 9	856
57. Boogerd-Quaak report A5-0230/2004 – Paragraph 10	857
58. Boogerd-Quaak report A5-0230/2004 – Paragraph 11	858
59. Boogerd-Quaak report A5-0230/2004 – Paragraph 12	859
60. Boogerd-Quaak report A5-0230/2004 – Paragraph 13	860
61. Boogerd-Quaak report A5-0230/2004 – Paragraph 14	861
62. Boogerd-Quaak report A5-0230/2004 – Paragraph 15	862
63. Boogerd-Quaak report A5-0230/2004 – Paragraph 16	863
64. Boogerd-Quaak report A5-0230/2004 – Paragraph 17	864
65. Boogerd-Quaak report A5-0230/2004 – Paragraph 18	865
66. Boogerd-Quaak report A5-0230/2004 – Paragraph 19	866
67. Boogerd-Quaak report A5-0230/2004 – Paragraph 20	867
68. Boogerd-Quaak report A5-0230/2004 – Paragraph 21	868
69. Boogerd-Quaak report A5-0230/2004 – Paragraph 22	869
70. Boogerd-Quaak report A5-0230/2004 – Paragraph 23	870
71. Boogerd-Quaak report A5-0230/2004 – Paragraph 24	871
72. Boogerd-Quaak report A5-0230/2004 – Paragraph 25	872
73. Boogerd-Quaak report A5-0230/2004 – Paragraphs 26 to 39	873
74. Boogerd-Quaak report A5-0230/2004 – Paragraph 41	874
75. Boogerd-Quaak report A5-0230/2004 – Paragraph 42	875
76. Boogerd-Quaak report A5-0230/2004 – Paragraph 43	876
77. Boogerd-Quaak report A5-0230/2004 – Paragraph 44	877
78. Boogerd-Quaak report A5-0230/2004 – Paragraphs 45 to 52	878
79. Boogerd-Quaak report A5-0230/2004 – Paragraph 53	879
80. Boogerd-Quaak report A5-0230/2004 – Paragraph 54	880
81. Boogerd-Quaak report A5-0230/2004 – Paragraph 55	881
82. Boogerd-Quaak report A5-0230/2004 – Paragraph 56	882
83. Boogerd-Quaak report A5-0230/2004 – Paragraph 57	883
84. Boogerd-Quaak report A5-0230/2004 – Paragraph 58	884
85. Boogerd-Quaak report A5-0230/2004 – Paragraph 59	885
86. Boogerd-Quaak report A5-0230/2004 – Paragraphs 60 to 70	886
87. Boogerd-Quaak report A5-0230/2004 – Paragraph 71	887
88. Boogerd-Quaak report A5-0230/2004 – Paragraph 72	888
89. Boogerd-Quaak report A5-0230/2004 – Paragraph 73	889
90. Boogerd-Quaak report A5-0230/2004 – Paragraph 74	890
91. Boogerd-Quaak report A5-0230/2004 – Paragraph 75	891
92. Boogerd-Quaak report A5-0230/2004 – Paragraph 76	892

Contents (<i>continued</i>)	Page
93. Boogerd-Quaak report A5-0230/2004 — Paragraph 77	893
94. Boogerd-Quaak report A5-0230/2004 — Paragraph 78	894
95. Boogerd-Quaak report A5-0230/2004 — Paragraph 79	895
96. Boogerd-Quaak report A5-0230/2004 — Paragraph 80	896
97. Boogerd-Quaak report A5-0230/2004 — Paragraph 81	897
98. Boogerd-Quaak report A5-0230/2004 — Paragraph 82	898
99. Boogerd-Quaak report A5-0230/2004 — Paragraph 83	899
100. Boogerd-Quaak report A5-0230/2004 — Paragraph 84	900
101. Boogerd-Quaak report A5-0230/2004 — Paragraph 85	901
102. Boogerd-Quaak report A5-0230/2004 — Paragraph 86	902
103. Boogerd-Quaak report A5-0230/2004 — Paragraph 87	903
104. Boogerd-Quaak report A5-0230/2004 — Paragraph 88	904
105. Boogerd-Quaak report A5-0230/2004 — Paragraph 89	905
106. Boogerd-Quaak report A5-0230/2004 — Visas 1 to 14	906
107. Boogerd-Quaak report A5-0230/2004 — Recital A	907
108. Boogerd-Quaak report A5-0230/2004 — Recital B	908
109. Boogerd-Quaak report A5-0230/2004 — Recital C	909
110. Boogerd-Quaak report A5-0230/2004 — Recital D	910
111. Boogerd-Quaak report A5-0230/2004 — Recital E	911
112. Boogerd-Quaak report A5-0230/2004 — Recital F	912
113. Boogerd-Quaak report A5-0230/2004 — Recital G	913
114. Boogerd-Quaak report A5-0230/2004 — Recital	914
115. B5-0187/2004/rev. — Pakistan — Recital	915
116. B5-0185/2004 — Transatlantic relations — Amendment 6	916
117. B5-0185/2004 — Transatlantic relations — Amendment 11	917
118. B5-0185/2004 — Transatlantic relations — Paragraph 13	918
119. B5-0185/2004 — Transatlantic relations — Paragraph 15	919
120. B5-0185/2004 — Transatlantic relations — Amendment 12	921
121. B5-0185/2004 — Transatlantic relations — Amendment 20	922
122. B5-0185/2004 — Transatlantic relations — Paragraph 18	923
123. B5-0185/2004 — Transatlantic relations — Paragraph 19	924
124. B5-0185/2004 — Transatlantic relations — Paragraph 20	925
125. De Keyser report A5-0270/2004 — Amendment 6	927
126. De Keyser report A5-0270/2004 — Amendment 7	928
127. De Keyser report A5-0270/2004 — Amendment 8	929
128. De Keyser report A5-0270/2004 — Amendment 9	930
129. De Keyser report A5-0270/2004 — Amendment 10	931
130. De Keyser report A5-0270/2004 — Amendment 11	932
131. De Keyser report A5-0270/2004 — Amendment 12	933
132. De Keyser report A5-0270/2004 — Amendment 13	934
133. Randzio-Plath report A5-0280/2004 — Amendment 9	935
134. Randzio-Plath report A5-0280/2004 — Amendment 10	936
135. Randzio-Plath report A5-0280/2004 — Amendment 11	937
136. Randzio-Plath report A5-0280/2004 — Amendment 12	938
137. Randzio-Plath report A5-0280/2004 — Amendment 13	939
138. B5-0194/2004 — RC — Nigeria — Resolution	940

(Continued)

TEXTS ADOPTED

P5_TA(2004)0351

Beekeeping *

European Parliament legislative resolution on the proposal for a Council regulation on actions in the field of beekeeping (COM(2004) 30 — C5-0052/2004 — 2004/0003(CNS)) 941

P5_TA(2004)0352

Proposal for a Council Decision establishing the Visa Information System (VIS) *

European Parliament legislative resolution on the Commission proposal for a Council decision establishing the Visa Information System (VIS) (COM(2004) 99 — C5-0098/2004 — 2004/0029(CNS)) 945

P5_TA(2004)0353

Privileges and immunities of Mr Bossi, a former Member of the European Parliament

European Parliament decision on the request for defence of parliamentary immunity and privileges submitted by Umberto Bossi (2003/2171(IMM)) 945

P5_TA(2004)0354

Privileges and immunities of Mr Bossi, a former Member of the European Parliament (second request)

European Parliament decision on the request for defence of parliamentary immunity and privileges submitted by Umberto Bossi (2003/2172(IMM)) 946

P5_TA(2004)0355

Development of the Community's railways ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council Directive 91/440/EEC on the development of the Community's railways (PE-CONS 3641/2004 — C5-0156/2004 — 2002/0025(COD)) 947

P5_TA(2004)0356

Railway safety ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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) (PE-CONS 3638/2004 — C5-0153/2004 — 2002/0022(COD)) 948

P5_TA(2004)0357

Interoperability of the trans-European rail system ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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 (PE-CONS 3639/2004 — C5-0154/2004 — 2002/0023(COD)) 949

P5_TA(2004)0358

European Railway Agency ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation establishing a European Railway Agency (Agency Regulation) (PE-CONS 3640/2004 — C5-0155/2004 — 2002/0024(COD)) 950

P5_TA(2004)0359

Amending budget No 6/2004

European Parliament resolution on draft amending budget No 6 of the European Union for the financial year 2004 (8739/2004 – C5-0167/2004 – 2004/2026(BUD)) 950

ANNEX

CODE OF CONDUCT ON THE SETTING UP OF AN EXECUTIVE AGENCY 951

P5_TA(2004)0360

Democracy, rule of law, human rights and fundamental freedoms in third countries ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms (COM(2003) 639 – C5-0507/2003 – 2003/0250(COD)) 953

P5_TC1-COD(2003)0250

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of Regulation (EC) No .../2004 of the European Parliament and of the Council amending Council Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms and Council Regulation (EC) No 976/1999 laying down the requirements for the implementation of Community operations, other than those of development cooperation, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries 953

P5_TA(2004)0361

European Capital of Culture 2005-2019 ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 (COM(2003) 700 – C5-0548/2003 – 2003/0274(COD)) 956

P5_TC1-COD(2003)0274

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC amending Decision No 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 957

Annex

ORDER OF ENTITLEMENT TO NOMINATE A 'EUROPEAN CAPITAL OF CULTURE' 959

P5_TA(2004)0362

Transparency of qualifications and competences (Europass) ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision on a single framework for the transparency of qualifications and competences (Europass) (COM(2003) 796 – C5-0648/2003 – 2003/0307(COD)) 960

P5_TC1-COD(2003)0307

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC on a single framework for the transparency of qualifications and competences (Europass) 960

Contents (<i>continued</i>)	Page
ANNEX I	
THE EUROPEAN CURRICULUM VITAE (CV)	966
ANNEX II	
THE MOBILIPASS	969
ANNEX III	
THE DIPLOMA SUPPLEMENT	971
ANNEX IV	
THE EUROPEAN LANGUAGE PORTFOLIO	973
ANNEX V	
THE CERTIFICATE SUPPLEMENT	975
ANNEX VI	
INFORMATION SYSTEMS	976
ANNEX VII	
FINANCIAL ANNEX	976
P5_TA(2004)0363	
Programme for enterprise and entrepreneurship ***I	
European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (COM(2003) 758 — C5-0628/2003 — 2003/0292(COD))	977
P5_TC1-COD(2003)0292	
Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005)	977
P5_TA(2004)0364	
More accessible digital content ***I	
European Parliament legislative resolution on the proposal for a European Parliament and Council decision establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable (COM(2004) 96 — C5-0082/2004 — 2004/0025(COD))	981
P5_TC1-COD(2004)0025	
Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of Decision No .../2004/EC of the European Parliament and of the Council establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable	981
ANNEX I	
ACTIONS	985
ANNEX II	
THE MEANS FOR IMPLEMENTING THE PROGRAMME	987
ANNEX III	
INDICATIVE BREAKDOWN OF EXPENDITURE	988

P5_TA(2004)0365

EC-Pakistan Cooperation Agreement *

European Parliament legislative resolution on the proposal for a Council decision on the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development (8108/1999 – COM(1998) 357 – C5-0659/2001 – 1998/0199(CNS)) 988

P5_TA(2004)0366

Guidelines for employment policy in the Member States *

European Parliament legislative resolution on the proposal for a Council decision on guidelines for the employment policies of the Member States (COM(2004) 239 – C5-0188/2004 – 2004/0082(CNS)) 989

P5_TA(2004)0367

Financial perspectives after 2006

European Parliament resolution on building our common future: policy challenges and budgetary means of the enlarged Union 2007-2013 (COM(2004) 101 – C5-0089/2004 – 2004/2006(INI)) .. 991

P5_TA(2004)0368

Third report on economic and social cohesion

European Parliament resolution on the third report on economic and social cohesion (COM(2004) 107 – C5-0092/2004 – 2004/2005(INI)) 1000

P5_TA(2004)0369

Commission's annual policy strategy for 2005

European Parliament resolution on the 2005 budget: the Commission's Annual Policy Strategy report (2004/2001(BUD)) 1009

P5_TA(2004)0370

Parliament's preliminary estimates for 2005

European Parliament resolution on the estimates of revenue and expenditure of Parliament for the financial year 2005 (2004/2007(BUD)) 1014

P5_TA(2004)0371

EIB annual report

European Parliament resolution on the activity report for 2002 of the European Investment Bank (2004/2012(INI)) 1019

P5_TA(2004)0372

Eurostat

European Parliament resolution on Eurostat 1021

P5_TA(2004)0373

Freedom of expression and information

European Parliament resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights) (2003/2237(INI)) 1026

P5_TA(2004)0374

Situation in Pakistan

European Parliament resolution on the situation concerning human rights and democracy in the Islamic Republic of Pakistan 1040

(Continued)

P5_TA(2004)0375

Transatlantic relations

European Parliament resolution on the state of the Transatlantic Partnership on the eve of the EU-US Summit in Dublin on 25/26 June 2004 1043

P5_TA(2004)0376

Human rights in 2003 and EU policy

European Parliament resolution on human rights in the world in 2003 and the European Union's policy on the matter (2003/2005(INI)) 1048

P5_TA(2004)0377

Trial against Leyla Zana and others in Ankara

European Parliament resolution on the outcome of the trial against Leyla Zana and others in Ankara 1060

P5_TA(2004)0378

Broad guidelines of economic policy

European Parliament resolution on the Commission recommendation on the 2004 update of the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) (COM(2004) 238 — C5-0183/2004—2004/2020(INI)) 1061

P5_TA(2004)0379

Cuba

European Parliament resolution on Cuba 1066

P5_TA(2004)0380

Sport products for the Olympic games

European Parliament resolution on respect for core labour standards in the production of sports goods for the Olympic Games 1067

P5_TA(2004)0381

Nigeria

European Parliament resolution on Nigeria 1069

P5_TA(2004)0382

Women in South-East Europe

European Parliament resolution on women in South-East Europe (2003/2128(INI)) 1070

P5_TA(2004)0383

Review of Ottawa Treaty on anti-personnel mines

European Parliament resolution on anti-personnel mines 1075

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

Monday 19 April 2004

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

2004 – 2005 SESSION

Sittings of 19 to 22 April 2004

STRASBOURG

(2004/C 104 E/01)

MINUTES**PROCEEDINGS OF THE SITTING**

IN THE CHAIR: Pat COX

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

The sitting opened at 17.05.

2. Announcement by the President

The President, on behalf of Parliament, paid tribute to the memory of Fabrizio Quattrocchi, the Italian hostage murdered in Iraq. He expressed his condolences on behalf of Parliament to the victim's family and to the people and the Government of Italy.

Parliament observed a minute's silence.

3. Approval of Minutes of previous sitting

The Minutes of the previous sitting were approved.

4. Membership of Parliament

The competent Greek authorities had given notice of the appointment of Mr Nikolaos Chountis to replace Alexandros Alavanos, as Member of Parliament, with effect from 15 April 2004.

Monday 19 April 2004

The competent Spanish authorities had given notice of the appointment of Mrs Cristina Soriano Gil, Mr José Vila Abelló and Mr Enric Xavier Morera i Catalá to replace María del Carmen Ortiz Rivas, Carlos Ripoll y Martínez de Bedoya and Carles-Alfred Gasòliba i Böhm, as Members of Parliament, with effect from 2 April 2004.

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

The competent Maltese authorities had given notice of the appointment of Mr Mario De Marco to replace Mr Antonio Fenech, and of Mr Jason Azzopardi, to replace Mr Michael Frendo as observers, with effect from 29 March 2004.

The competent Latvian authorities had given notice of the appointment of Mr Guntars Krasts to replace Mr Juris Dobelis, as observer, with effect from 7 April 2004.

The competent Cypriot authorities had given notice of the appointment of Mr Lefteris Christoforou to replace Mr Georgios Tasou, as observer, with effect from 13 April 2004.

5. Membership of political groups

Mr Enric Xavier Morera i Catalá had become a member of the Verts/ALE Group.

6. Membership of committees and delegations

Mr Mario De Marco had been appointed observer to the BUDG Committee.

Mr Lefteris Christoforou had been appointed observer to the LIBE Committee.

Mr Jason Azzopardi had been appointed observer to the PECH Committee and to the RETT Committee.

Mr Josef Kubica had been appointed observer to the AFCO Committee.

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The PPE-DE, PSE and ELDR Groups had presented the following requests for appointments:

- ENVI Committee: Mrs Jacqueline Rousseau
- AGRI Committee, FEMM Committee and Delegation for relations with Canada: Mrs Cristina Soriano,
- RETT Committee and Delegation for relations with the countries of Central America and Mexico: Mr José Vila Abelló.

These requests would be deemed to have been ratified if no objections were raised before the approval of that day's Minutes.

7. Verification of credentials

On a proposal from the JURI Committee, Parliament validated the mandates of Meropi Kaldi and María del Carmen Ortiz Rivas.

8. Calendar 2005

The Conference of Presidents had forwarded its proposals as follows for the calendar of part-sessions in 2005:

10 to 13 January
26 and 27 January
21 to 24 February

Monday 19 April 2004

7 to 10 March
11 to 14 April
27 and 28 April
9 to 12 May
25 and 26 May
6 to 9 June
22 and 23 June
4 to 7 July
5 to 8 September
26 to 29 September
12 and 13 October
24 to 27 October
14 to 17 November
30 November and 1 December
12 to 15 December

The deadline for tabling amendments was Tuesday 20 April at 10.00 and the vote would be held on Wednesday 21 April at 12.00.

9. Documents received

The following documents had been received:

1) *from the Council and Commission:*

- Proposal for a Council Directive amending Directive 2003/96/EC as regards the possibility for Cyprus to apply, in respect of energy products and electricity, temporary exemptions or reductions in the levels of taxation (COM(2004) 185 – C5-0175/2004 – 2004/0067(CNS))
referred to responsible: ECON
opinion: ITRE
legal basis: Article 93 EC
- Draft Council Recommendation on the appointment of a member of the Executive Board of the European Central Bank (6315/2004 – C5-0176/2004 – 2004/0808(CNS))
referred to responsible: ECON
legal basis: Article 112(2)(b) EC
- Council of the European Union: Initiative of the Kingdom of Spain with a view to adopting a Council Directive on the obligation of carriers to communicate passenger data (8058/2004 – C5-0177/2004 – 2003/0809(CNS))
referred to responsible: LIBE
opinion: RETT
legal basis: Article 62(2) EC, Article 63(3) EC
- Proposal for a Council regulation amending Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of Central and Eastern Europe in the pre-accession period (COM(2004) 163 – C5-0178/2004 – 2004/0054(CNS))
referred to responsible: AGRI
opinion: BUDG
legal basis: Article 308 EC
- Proposal for a Council Regulation on the conclusion of the Protocol defining, for the period 3 December 2003 to 2 December 2007, the fishing opportunities and the financial compensation provided for by the Agreement between the European Economic Community and the Government of Mauritius on fishing in the waters of Mauritius (COM(2004) 197 – C5-0179/2004 – 2004/0071(CNS))
referred to responsible: PECH
opinion: BUDG, DEVE
legal basis: Article 37 EC, Article 300(2), 1st subparagraph and (3), 1st subparagraph EC

Monday 19 April 2004

- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a Regulation of the European Parliament and of the Council concerning protection against subsidisation and unfair pricing practices in the supply of airline services from countries not members of the European Community (COM(2004) 235 — C5-0180/2004 — 2002/0067(COD))
referred to responsible: RETT
opinion: ECON, ITRE
legal basis: Article 80(2) EC
- Amended proposal for a Directive of the European Parliament and of the Council concerning the quality of bathing waters (COM(2004) 245 — C5-0181/2004 — 2002/0254(COD))
referred to responsible: ENVI
opinion: JURI, RETT
legal basis: Article 175(1) EC
- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a European Parliament and Council Regulation on the negotiation and implementation of air service agreements between Member States and third countries (COM(2004) 265 — C5-0182/2004 — 2003/0044(COD))
referred to responsible: RETT
opinion: LIBE, JURI
legal basis: Article 80(2) EC
- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a Decision of the European Parliament and of the Council establishing a second phase of a programme of Community action (2004-2008) to prevent violence against children, young people and women and to protect victims and groups at-risk (the DAPHNE II programme) (COM(2004) 259 — C5-0185/2004 — 2003/0025(COD))
referred to responsible: FEMM
opinion: BUDG, LIBE
legal basis: Article 152 EC
- Proposal for a Council Regulation on the conclusion of the Protocol defining for the period 1 January 2004 to 31 December 2006 the tuna fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Democratic Republic of Madagascar on fishing off Madagascar (COM(2004) 218 — C5-0186/2004 — 2004/0070(CNS))
referred to responsible: PECH
opinion: BUDG, DEVE
legal basis: Article 37 EC, Article 300 (2), 1st subparagraph and (3), 1st subparagraph EC
- Proposal for a Council Directive amending Directive 2003/49/EC as regards the possibility for certain Member States to apply transitional periods for the application of a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States (COM(2004) 243 — C5-0187/2004 — 2004/0076(CNS))
referred to responsible: ECON
opinion: JURI
legal basis: Article 94 EC
- Proposal for a Council Decision on guidelines for the employment policies of the Member States (COM(2004) 239 — C5-0188/2004 — 2004/0082(CNS))
referred to responsible: EMPL
opinion: ECON, ITRE, FEMM
legal basis: Article 128(2) EC

Monday 19 April 2004

- Proposal for a Council Regulation on the conclusion of the Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period 1 July 2004 to 30 June 2005 (COM(2004) 183 — C5-0189/2004 — 2004/0058(CNS))

referred to responsible: PECH
 opinion: BUDG, DEVE

legal basis: Article 37 EC, Article 300 (2)(3) EC

- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a Regulation of the European Parliament and of the Council on insurance requirements for air carriers and aircraft operators (COM(2004) 255 — C5-0190/2004 — 2002/0234(COD))

referred to responsible: RETT
 opinion: JURI

legal basis: Article 80(2) EC

2) *from committees*

2.1) *reports:*

- * Report on the proposal for a Council decision on the conclusion of the Framework Agreement between the European Community and the European Space Agency (COM(2004) 85 — C5-0099/2004 — 2004/0028(CNS)) — Committee on Industry, External Trade, Research and Energy.
 Rapporteur: Mr Bodrato (A5-0222/2004).
- *** I Second report on the proposal for a European Parliament and Council directive on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers (COM(2002) 443 — C5-0420/2002 — 2002/0222(COD)) — Committee on Legal Affairs and the Internal Market.
 Rapporteur: Mr Wuermeling (A5-0224/2004).
- * Report on the proposal for a Council decision concerning the conclusion of the World Health Organisation Framework Convention on Tobacco Control (COM(2003) 807 — C5-0028/2004 — 2003/0316(CNS)) — Committee on the Environment, Public Health and Consumer Policy.
 Rapporteur: Mr Maaten (A5-0226/2004).
- Report on the Commission communication on Article 7 of the Treaty on European Union: Respect for and promotion of the values on which the Union is based (COM(2003) 606 — C5-0594/2003 — 2003/2249(INI)) — Committee on Constitutional Affairs.
 Rapporteur: Mr Voggenhuber (A5-0227/2004).
- Report concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year Section II — Council (I5-0034/2003 — C5-0088/2004 — 2003/2212(DEC)), Section IV — Court of Justice (I5-0034/2003 — C5-0088/2004 — 2003/2213(DEC)), Section V — Court of Auditors (I5-0034/2003 — C5-0088/2004 — 2003/2214(DEC)), Section VI — Economic and Social Committee (I5-0034/2003 — C5-0088/2004 — 2003/2215(DEC)), Section VII — Committee of the Regions (I5-0034/2003 — C5-0088/2004 — 2003/2216(DEC)), Section VIII — Ombudsman (I5-0034/2003 — C5-0088/2004 — 2003/2217(DEC)) — Committee on Budgetary Control.
 Rapporteur: Mrs Stauner (A5-0228/2004).
- * Report on the proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the common manual to this end (COM(2003) 664 — C5-0580/2003 — 2003/0258(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
 Rapporteur: Mrs Angelilli (A5-0229/2004).

Monday 19 April 2004

- Report on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights) (2003/2237(INI)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
Rapporteur: Mrs Boogerd-Quaak (A5-0230/2004).
- * Report on the proposal for a Council regulation amending Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards the conditions for the re-exportation and re-dispatch of products covered by the specific supply arrangements (COM(2004) 155 — C5-0129/2004 — 2004/0051(CNS)) (Simplified procedure — Rule 158(1) of the Rules of Procedure) — Committee on Agriculture and Rural Development.
Rapporteur: Mr Daul (A5-0231/2004).
- * Report on the proposal for a Council regulation on actions in the field of beekeeping (COM(2004) 30 — C5-0052/2004 — 2004/0003(CNS)) — Committee on Agriculture and Rural Development.
Rapporteur: Mrs Lulling (A5-0232/2004).
- * Report on the proposal for a Council directive amending Directive 77/388/EEC as regards the place of supply of services (COM(2003) 822 — C5-0026/2004 — 2003/0329(CNS)) — Committee on Economic and Monetary Affairs.
Rapporteur: Mr Karas (A5-0233/2004).
- *** I Report on the proposal for a European Parliament and Council decision establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable (COM(2004) 96 — C5-0082/2004 — 2004/0025(COD)) — Committee on Industry, External Trade, Research and Energy.
Rapporteur: Mr W.G. van Velzen (A5-0235/2004).
- Report on the estimates of revenue and expenditure of Parliament for the financial year 2005 (2004/2007(BUD)) — Committee on Budgets.
Rapporteur: Mr Kuckelkorn (A5-0236/2004).
- *** I Report on the proposal for a European Parliament and Council decision amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (COM(2003) 758 — C5-0628/2003 — 2003/0292(COD)) — Committee on Industry, External Trade, Research and Energy.
Rapporteur: Mr Rübzig (A5-0237/2004).
- *** Recommendation on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform technical prescriptions concerning the burning behaviour of materials used in the interior construction of certain categories of motor vehicles (5049/2004 — C5-0106/2004 — 2003/0247(AVC)) (Simplified procedure — Rule 158(1) of the Rules of Procedure) — Committee on Industry, External Trade, Research and Energy.
Rapporteur: Mr Berenguer Fuster (A5-0238/2004).
- *** Recommendation on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform prescriptions concerning the type approval of tyres with respect to tyre rolling noise (5047/2004 — C5-0107/2004 — 2003/0254(AVC)) (Simplified procedure — Rule 158(1) of the Rules of Procedure) — Committee on Industry, External Trade, Research and Energy.
Rapporteur: Mr Berenguer Fuster (A5-0239/2004).

Monday 19 April 2004

- *** Recommendation on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use (5048/2004 – C5-0105/2004 – 2003/0248(AVC)) (Simplified procedure – Rule 158(1) of the Rules of Procedure) – Committee on Industry, External Trade, Research and Energy.
Rapporteur: Mr Berenguer Fuster (A5-0240/2004).

- *** I Report on the proposal for a European Parliament and Council decision amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory (COM(2003) 763 – C5-0622/2003 – 2003/0293(COD)) – Committee on Culture, Youth, Education, the Media and Sport.
Rapporteur: Mrs Sanders-ten Holte (A5-0241/2004).

- *** I Report on the proposal for a European Parliament and Council decision on a single framework for the transparency of qualifications and competences (Europass) (COM(2003) 796 – C5-0648/2003 – 2003/0307(COD)) (Enhanced cooperation between committees – Rule 162a) – Committee on Culture, Youth, Education, the Media and Sport.
Rapporteur: Mrs Zissener (A5-0247/2004).

- * Report on the proposal for a Council regulation on the European Monitoring Centre for Drugs and Drug Addiction (recast) (COM(2003) 808 – C5-0060/2004 – 2003/0311(CNS)) – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
Rapporteur: Mr Ceyhun (A5-0248/2004).

- *** I Report on the proposal for a European Parliament and Council directive on the establishment of common rules for certain types of carriage of goods by road (Codified version) (COM(2004) 47 – C5-0055/2004 – 2004/0017(COD)) (Simplified procedure – Rule 158(1) of the Rules of Procedure) – Committee on Legal Affairs and the Internal Market.
Rapporteur: Mr Gargani (A5-0250/2004).

- * Report on the proposal for a Council directive amending Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption (COM(2004) 151 – C5-0128/2004 – 2004/0052(CNS)) – Committee on the Environment, Public Health and Consumer Policy.
Rapporteur: Mrs Jackson (A5-0251/2004).

- *** I Report on the proposal for a European Parliament and Council directive on the quality of fresh waters needing protection or improvement in order to support fish life (Codified version) (COM(2004) 19 – C5-0038/2004 – 2004/0002(COD)) (Simplified procedure – Rule 158(1) of the Rules of Procedure) – Committee on Legal Affairs and the Internal Market.
Rapporteur: Mr Gargani (A5-0252/2004).

- Report on the communication from the Commission to the Council and the European Parliament: 'Modernising company law and enhancing corporate governance in the European Union – a plan to move forward' (COM(2003) 284 – C5-0378/2003 – 2003/2150(INI)) (Enhanced cooperation between committees – Rule 162a) – Committee on Legal Affairs and the Internal Market.
Rapporteur: Mrs Ghilardotti (A5-0253/2004).

- *** I Report on the proposal for a European Parliament and Council regulation on conditions for access to the gas transmission networks (COM(2003) 741 – C5-0644/2003 – 2003/0302(COD)) – Committee on Industry, External Trade, Research and Energy.
Rapporteur: Mr Seppänen (A5-0254/2004).

Monday 19 April 2004

- *** I Report on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (COM(2003) 452 — C5-0345/2003 — 2003/0167(COD)) — Committee on Legal Affairs and the Internal Market.
Rapporteur: Mrs Fourtou (A5-0255/2004).
- Report on draft amending budget No 3 of the European Union for the financial year 2004 as modified by Council — Section III — Commission (2004/2021(BUD)) — Committee on Budgets.
Rapporteur: Mr Mulder (A5-0256/2004).
- Report on improving safety at sea (2003/2235(INI)) — Temporary Committee on improving safety at sea.
Rapporteur: Mr Sterckx (A5-0257/2004).
- Report on the activity report for 2002 of the European Investment Bank (2004/2012(INI)) — Committee on Economic and Monetary Affairs.
Rapporteur: Mrs Ridruejo (A5-0258/2004).
- Report on draft amending budget No 6 of the European Union for the financial year 2004 — Section III — Commission (2004/2026(BUD)) — Committee on Budgets.
Rapporteur: Mr Mulder (A5-0259/2004).
- *** I Report on the proposal for a European Parliament and Council regulation on maximum residue levels of pesticides in products of plant and animal origin (COM(2003) 117 — C5-0108/2003 — 2003/0052(COD)) — Committee on the Environment, Public Health and Consumer Policy.
Rapporteur: Mr Sturdy (A5-0260/2004).
- Report on the communication from the Commission to the Council and the European Parliament on Integrated Product Policy — Building on Environmental Life-Cycle Thinking (COM(2003) 302 — C5-0550/2003 — 2003/2221(INI)) — Committee on the Environment, Public Health and Consumer Policy.
Rapporteur: Mr Wijkman (A5-0261/2004).
- * Report on the Commission proposal for a Council decision establishing the Visa Information System (VIS) (COM(2004) 99 — C5-0098/2004 — 2004/0029(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
Rapporteur: Mr Coelho (A5-0262/2004).
- Report on the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — Equal opportunities for people with disabilities: A European Action Plan (COM(2003) 650 — C5-0039/2004 — 2004/2004(INI)) — Committee on Employment and Social Affairs.
Rapporteur: Mr Mantovani (A5-0263/2004).
- * Report on the proposal for a Council directive amending Directive 2003/96/EC as regards the possibility for Cyprus to apply, in respect of energy products and electricity, temporary exemptions or reductions in the levels of taxation (COM(2004) 185 — C5-0175/2004 — 2004/0067(CNS)) (Simplified procedure Rule 158(1) of the Rules of Procedure) — Committee on Economic and Monetary Affairs.
Rapporteur: Mrs Randzio-Plath (A5-0264/2004).
- *** I Report on the proposal for a European Parliament and Council directive on batteries and accumulators and spent batteries and accumulators (COM(2003) 723 — C5-0563/2003 — 2003/0282(COD)) — Committee on the Environment, Public Health and Consumer Policy.
Rapporteur: Mr Blokland (A5-0265/2004).
- * Second report on the initiative of the Kingdom of Spain with a view to the adoption of a Council directive on the obligation of carriers to communicate passenger data (8058/2004 — C5-0177/2004 — 2003/0809(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
Rapporteur: Mr Hernández Mollar (A5-0266/2004).

Monday 19 April 2004

- * Report on the Commission proposal for a Council decision establishing the European Refugee Fund for the period 2005-2010 (COM(2004) 102 — C5-0096/2004 — 2004/0032(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
Rapporteur: Mr Deprez (A5-0267/2004).
- Report on the Communication from the Commission to the Council and the European Parliament — Building our common future — policy challenges and budgetary means of the enlarged Union 2007-2013 (COM(2004) 101 — C5-0089/2004 — 2004/2006(INI)) — Committee on Budgets.
Rapporteur: Mr Wynn (A5-0268/2004).
- Report on the 2005 budget: the Commission's Annual Policy Strategy report (APS) (2004/2001(BUD)) — Committee on Budgets.
Rapporteur: Mr Garriga Polledo (A5-0269/2004).
- Annual report on human rights in the world in 2003 and the European Union's policy on the matter (2003/2005(INI)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.
Rapporteur: Mrs De Keyser (A5-0270/2004).
- * Report on the proposal for a Council decision on the conclusion of an Agreement between the European Community and the United States of America on the processing and transfer of PNR data by Air Carriers to the United States Department of Homeland Security, Bureau of Customs and Border Protection (COM(2004) 190 — C5-0162/2004 — 2004/0064(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.
Rapporteur: Mrs Boogerd-Quaak (A5-0271/2004).
- Report on the Third report on economic and social cohesion (COM(2004) 107 — C5-0092/2004 — 2004/2005(INI)) — Committee on Regional Policy, Transport and Tourism.
Rapporteur: Mr Hatzidakis (A5-0272/2004).
- * Report on the draft recommendation of the Council concerning the appointment of Mr José Manuel González-Páramo as a member of the Executive Board of the European Central Bank (6315/2004 — C5-0176/2004 — 2004/0808(CNS)) — Committee on Economic and Monetary Affairs.
Rapporteur: Mrs Randzio-Plath (A5-0273/2004).

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 regulation on the coordination of social security systems (15577/6/2003 — C5-0043/2004 — 1998/0360(COD)) — Committee on Employment and Social Affairs. Rapporteur: Mrs Lambert (A5-0234/2004).
- *** 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 interoperability of electronic road toll systems in the Community (6277/1/2004 — C5-0163/2004 — 2003/0081(COD)) — Committee on Regional Policy, Transport and Tourism.
Rapporteur: Mrs Sommer (A5-0246/2004).
- *** 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 minimum safety requirements for tunnels in the Trans-European Road Network (5238/1/2004 — C5-0118/2004 — 2002/0309(COD)) — Committee on Regional Policy, Transport and Tourism.
Rapporteur: Mr Rack (A5-0249/2004).

Monday 19 April 2004

3) *from Members*

3.1) *oral questions for Question Time (Rule 43) (B5-0071/2004)*

- Ebner Michl, McAvan Linda, Lage Carlos, Sandbæk Ulla Margrethe, Karas Othmar, Newton Dunn Bill, Harbour Malcolm, Paasilinna Reino, Martínez Martínez Miguel Angel, McKenna Patricia, Bowis John, Kinnock Glenys, Posselt Bernd, Isler Béguin Marie Anne, Staes Bart, Nogueira Román Camilo, Hedkvist Petersen Ewa, Crowley Brian, Hughes Stephen, Morgan Eluned, Bowe David Robert, Gahrton Per, Ó Neachtain Seán, Medina Ortega Manuel, Andrews Niall, Hyland Liam, Fitzsimons James (Jim), Collins Gerard, Grönfeldt Bergman Lisbeth, Sacrédeus Lennart, Thorning-Schmidt Helle, Whitehead Phillip, Ahern Nuala, Kratsa-Tsagaropoulou Rodi, Varela Suanzes-Carpegna Daniel, Hatzidakis Konstantinos, Casaca Paulo, Dybkjær Lone, Lannoye Paul A.A.J.G., Moraes Claude, MacCormick Neil, Patakis Ioannis, Färm Göran, Mulder Jan, Izquierdo Rojo María, Arvidsson Per-Arne, Alyssandarakis Konstantinos, Riis-Jørgensen Karin, Korakas Efstratios, De Rossa Proinsias, Sandberg-Fries Yvonne, Thors Astrid- Isler Béguin Marie Anne, Nogueira Román Camilo, Hyland Liam, Collins Gerard, Crowley Brian, Gahrton Per, Medina Ortega Manuel, Andrews Niall, Fitzsimons James (Jim), Ludford Sarah, McKenna Patricia, Ahern Nuala, Ó Neachtain Seán, Kratsa-Tsagaropoulou Rodi, Dybkjær Lone, Newton Dunn Bill, Posselt Bernd, O'Toole Barbara, Jensen Anne Elisabet, Moraes Claude, MacCormick Neil, De Rossa Proinsias, Izquierdo Rojo María, Thors Astrid.

3.2) *motions for resolution (Rule 48)*

- Maurizio Turco, Emma Bonino, Marco Cappato, Gianfranco Dell'Alba, Benedetto Della Vedova, Olivier Dupuis, Marco Pannella, Uma Aaltonen, Nuala Ahern, Sylviane H. Ainardi, Bent Hindrup Andersen, Jan Andersson, Anne André-Léonard, Danielle Auroi, Alexandros Baltas, María Luisa Bergaz Conesa, Jean-Louis Bernié, Fausto Bertinotti, Johanna L.A. Boogerd-Quaak, Armonia Bordes, Alima Boumediene-Thiery, David Robert Bowe, André Brie, Ieke van den Burg, António Campos, Marie-Arlette Carlotti, Maria Carrilho, Paulo Casaca, Michael Cashman, Gérard Caudron, Chantal Cauquil, Carmen Cerdeira Morterero, Dorette Corbey, Armando Cossutta, Danielle Darras, Jean-Maurice Dehousse, Véronique De Keyser, Harlem Désir, Jan Dhaene, Giuseppe Di Lello Finuoli, Lone Dybkjær, Saïd El Khadraoui, Alain Esclopé, Jillian Evans, Giovanni Claudio Fava, Anne Ferreira, Ilda Figueiredo, Glyn Ford, Pernille Frahm, Geneviève Fraisse, Per Gahrton, Marie-Françoise Garaud, Marie-Hélène Gillig, Koldo Gorostiaga Atxalandabaso, Mary Honeyball, Michiel van Hulten, Renzo Imbeni, Marie Anne Isler Béguin, Salvador Jové Peres, Anna Karamanou, Hans Karlsson, Giorgos Katiforis, Sylvia-Yvonne Kaufmann, Dimitrios Koulourianos, Alain Krivine, Arlette Laguiller, Jean Lambert, Vincenzo Lavarra, Caroline Lucas, Sarah Ludford, Eryl Margaret McNally, Nelly Maes, Cecilia Malmström, Lucio Manisco, Helmuth Markov, Pedro Marset Campos, Claudio Martelli, David W. Martin, Emmanouil Mastorakis, Véronique Mathieu, Erik Meijer, José María Mendiluce Pereiro, Emilio Menéndez del Valle, Reinhold Messner, Rosa Miguélez Ramos, Ana Miranda de Lage, Hans Modrow, Enrique Monsonís Domingo, Claude Moraes, Luisa Morgantini, Sami Naïr, Pasqualina Napoletano, Bill Newton Dunn, Camilo Nogueira Román, Jean-Thomas Nordmann, Mihail Papayannakis, Béatrice Patrie, Marit Paulsen, Giovanni Pittella, Elly Plooi-van Gorsel, Jacques F. Poos, Didier Rod, Alexander de Roo, Martine Roure, Giorgio Ruffolo, Heide Rühle, Guido Sacconi, Ulla Margrethe Sandbæk, Manuel António dos Santos, Luciana Sbarbati, Michel-Ange Scarbonchi, Karin Scheele, Herman Schmid, Olle Schmidt, Inger Schörling, Ilka Schröder, Patsy Sörensen, Ioannis Souladakis, Sérgio Sousa Pinto, Bart Staes, Dirk Sterckx, Joke Swiebel, Anna Terrón i Cusi, Maj Britt Theorin, Felekna Uca, María Elena Valenciano Martínez-Orozco, Anne E.M. Van Lancker, Gianni Vattimo, Luigi Vinci, Matti Wuori, Francis Wurtz, Eurig Wyn, Myrsini Zorba and Olga Zrihen, on respect for the principle of separation between public and religious institutions in the European Constitution (B5-0186/2004)

referred to responsible: AFCO
 opinion: LIBE

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

- Miquel Mayol i Raynal, Ian Stewart Hudghton, Nelly Maes, Camilo Nogueira Román and Josu Ortuondo Larrea on the recognition of the right to self-determination (No 29/2004)
- John Bowis, Jillian Evans, Imelda Mary Read, Catherine Stihler and Diana Wallis on endometriosis (No 30/2004)

Monday 19 April 2004

- Caroline Lucas, Paul A.A.J.G. Lannoye, Inger Schörling and Patricia McKenna on the marketing of foods to children (No 31/2004)
- Jean Lambert, Caroline Lucas, Matti Wuori and Alima Boumediene-Thiery on the deaths of Sikh civilians in Panjaab and India in 1984 (No 32/2004)

4) *from the Parliament Delegation to the Conciliation Committee:*

- ***III Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council Directive 91/440/EEC on the development of the Community's railways [PE-CONS 3641/2004 — C5-0156/2004 — 2002/0025(COD)].
Rapporteur: Georg Jarzembowski (A5-0242/2004)
- ***III Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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 [PE-CONS 3639/2004 — C5-0154/2004 — 2002/0023(COD)].
Rapporteur: Sylviane H. Ainardi (A5-0243/2004)
- ***III Report on the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council establishing a European Railway Agency ('Agency Regulation') [PE-CONS 3640/2004 — C5-0155/2004 — 2002/0024(COD)].
Rapporteur: Gilles Savary (A5-0244/2004)
- ***III Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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) [PE-CONS 3638/2004 — C5-0153/2004 — 2002/0022(COD)].
Rapporteur: Dirk Sterckx (A5-0245/2004)

10. 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):

31 March 2004

by Mr Rafael Pérez (No 251/2004);
 by Mr Antonio Arbelo Alvarado (No 252/2004);
 by Mr Pedro Fernández Arcila (ATAN (Asociación Tinerfeña de Amigos de la Naturaleza)) (No 253/2004);
 by Mr Antonio Plá Piera (Asociación de Vecinos, Cultural y de Consumidores Patraix) (No 254/2004);
 by Mr José Luis Hernández Domínguez (No 255/2004);
 by Mr Pierre Segura (No 256/2004);
 by Mr Dragan Rakic (No 257/2004);
 by Mr Jacques Memmi (No 258/2004);
 by Mr Manuel Enocq (No 259/2004);
 by Mr Suleman Gjanaj (No 260/2004);
 by Mr Jean de la Forge (Comité de Défense Rural Donnery/Fay-aux-loges) (No 261/2004);
 by Mrs Adalgisa Uccheddu (No 262/2004);
 by Mr Andrea Alleva (No 263/2004);
 by Mr Roberto Massa (No 264/2004);
 by Mr Giovanni Pittella (No 265/2004);
 by Mr Mario Borghezio (No 266/2004);
 by Mr Donato Aguese (No 267/2004);
 by Mrs Silvia Varriale (No 268/2004);
 by Mr Vincenzo Guerra (No 269/2004);
 by Mrs Marica Camerlengo (No 270/2004);

Monday 19 April 2004

by Mr Giuseppe Mario Di Mattia (No 271/2004);
 by Mr Luis Manuel Rodrigues de Sousa Gabriel (No 272/2004);
 by Mr Joachim Kurth (No 273/2004)
 by Mr Ferdinand Holzner (No 274/2004)
 by Mr Gert Schlüter (No 275/2004)
 by Mr Arif Rüzgar (No 276/2004)
 by Mrs Rita Bürger (No 277/2004)
 by Mr Karl-Heinz Hutzler (No 278/2004)
 by Mr Friedrich Arnst (No 279/2004)
 by Mr Erwin Bültmann (No 280/2004)
 by Mr Peter Mailänder (Rechtsanwälte Haver & Mailänder) (No 281/2004)
 by Mrs Gisela Kroll (No 282/2004)
 by Mr Franco José Kozely Masé Duca (No 283/2004)
 by Mr Charles Winfield (No 284/2004)
 by Mr Errol Jackson (No 285/2004)
 by Mrs Denise Walsh (No 286/2004)
 by Mrs Carol Grayson (No 287/2004)
 by Mr Michael Gare-Simmons (No 288/2004)
 by Mrs Harriet Bullock (No 289/2004)
 by Mrs Reinhild Bergan (No 290/2004)
 by Mr Frank Harvey (No 291/2004)
 by Mr Harto Hannula (No 292/2004)
 by Mr Rien van Kerkwijk (Vereniging Vrij Wonen) (and 8753 signatories) (No 293/2004)
 by Mrs Marie-Christina Gräfin zu Poppenheim (No 294/2004)
 by Mr Christos Kostoudis (No 295/2004);
 by Mrs Irini Savvidou (Somateio ergazomenon sta topika symfona apasholisis Dimou Veroias) (No 296/2004);
 by Mrs Marianthi Varveri (No 297/2004);
 by Mr Evangelos Tsankarakis (Oikodomikos Synetairismos Georgikon Ypallilon O 'PAN' S.P.E.) (No 298/2004).

11. Transfers of appropriations

The Committee on Budgets had considered proposal for transfer of appropriations DEC 3/2004 (C5-0119/2003 — SEC(2004) 0286).

Having noted the Council's opinion, the committee 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 31.01 — Rerserves for administrative expenditure

— Item 31.0140 — 04.010407 — Actions combating and preventing exclusion — Expenditure on administrative management	NDA	— 450 000 EUR
— Item 31.0140 — 04.010412 — Measures combating and preventing discrimination — Expenditure on administrative management	NDA	— 630 000 EUR
— Item 31.0140 — 15.010412 — Measures for civil society and visits to the Commission — Expenditure on administrative management	NDA	— 1 050 000 EUR

Chapter 31.02 — Rerserves for financial interventions

— Item 31.0241 — 04.490407 — Actions combating and preventing exclusion — Expenditure on administrative management	PA	— 215 928 EUR
— Item 31.0241 — 04.490412 — Measures combating and preventing discrimination — Expenditure on administrative management	PA	— 562 192 EUR
— Item 31.0241 — 15.030302 — European Training Foundation — Subsidy under Title 3	CA PA	— 406 100 EUR — 406 100 EUR

Monday 19 April 2004

– Article 31.0241 – 15.0605 Visits to the Commission	CA	– 1 500 000 EUR
	PA	– 1 540 000 EUR
– Item 31.0241 – 15.490401 – Preparatory actions for cooperation in the field of education and of youth policy – Expenditure on administrative management	PA	– 1 200 000 EUR
– Item 31.0241 – 15.490412 – Measures for civil society – Expenditure on administrative management	PA	– 270 000 EUR

TO:

Chapter 04.01 – Administrative expenditure of policy area 'Employment and social affairs'

– Article 04.0104 – Support expenditure for operations of policy area 'Employment and social affairs'		
– Item 04.010407 – Actions combating and preventing exclusion – Expenditure on administrative management	NDA	450 000 EUR
– Item 04.010412 – Measures combating and preventing discrimination – Expenditure on administrative management	NDA	630 000 EUR

Chapter 04.49 – Expenditure on administrative management of programmes committed in accordance with the former financial regulation

– Article 04.4904 – Support expenditure for operations of policy area 'Employment and social affairs'		
– Item 04.490407 – Actions combating and preventing exclusion – Expenditure on administrative management	PA	215 928 EUR
– Item 04.490412 – Measures combating and preventing discrimination – Expenditure on administrative management	PA	562 192 EUR

Chapter 15.01 – Administrative expenditure of policy area 'Education and culture'

– Article 15.0104 – Support expenditure for operations of policy area 'Education and culture'		
– Item 15.010412 – Measures for civil society and visits to the Commission – Expenditure on administrative management	NDA	1 050 000 EUR

Chapter 15.03 – Vocational training

– Article 15.0303 – European Training Foundation		
– Item 15.030302 – European Training Foundation – Subsidy under Title 3	CA PA	406 100 EUR 406 100 EUR

Chapter 15.06 – Dialogue with the citizens

– Article 15.0605 – Visits to the Commission	CA	1 500 000 EUR
	PA	1 540 000 EUR

Chapter 15.49 – Expenditure on administrative management of programmes committed in accordance with the former financial regulation

– Article 15.4904 – Support expenditure for operations of policy area 'Education and culture'		
– Item 15.490401 – Preparatory actions for cooperation in the field of education and of youth policy – Expenditure on administrative management	PA	1 200 000 EUR
– Item 15.490412 – Measures for civil society – Expenditure on administrative management	PA	270 000 EUR

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Monday 19 April 2004

The Committee on Budgets had considered proposal for transfer of appropriations DEC 4/2004 (C5-0120/2003 – SEC(2004) 0256).

Having noted the Council's opinion, the committee 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 31.01 – Reserves for administrative expenditure

- Item 31.0140 – 09.010404 – Action on illegal and harmful content on the Internet – Expenditure on administrative management NDA – 162 000 EUR

Chapter 31.02 – Reserves for financial interventions

- Item 31.0241 – 07.030101 – Protection of forests CA – 17 000 000 EUR
PA – 17 000 000 EUR
- Article 31.0241 – 09.0301 – Information society CA – 6 000 000 EUR
PA – 2 200 000 EUR

TO:

Chapter 07.03 – Environmental programmes and projects

- Article 07.0301 – Clean development mechanism
- Item 07.030101 – Protection of forests CA 17 000 000 EUR
PA 17 000 000 EUR

Chapter 09.01 – Administrative expenditure of policy area 'Information society'

- Article 09.0104 – Support expenditure for operations of policy area 'Information society'
- Item 09.010404 – Action on illegal and harmful content on the Internet – Expenditure on administrative management NDA 162 000 EUR

Chapter 09.03 – eEurope

- Article 09.0301 – Information society CA 6 000 000 EUR
PA 2 200 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations DEC 5/2004 (C5-0125/2003 – SEC(2004) 0302).

After noting the Council's opinion, the committee 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 27.01 – Administrative expenditure of policy area 'Budget'

- Article 27.0102 – External staff and other management expenditure in support of policy area 'Budget'
- Item 27.010209 – External staff – Non-decentralised management NDA – 1 725 000 EUR
- Item 27.010219 – Other management expenditure – Non-decentralised management NDA – 511 000 EUR

TO:

Chapter 01.01 – Administrative expenditure of policy area 'Economic and financial affairs'

- Article 01.0102 – External staff and other management expenditure in support of policy area 'Economic and financial affairs'
- Item 01.010201 – External staff NDA 77 000 EUR

Monday 19 April 2004

Chapter 03.01 — Administrative expenditure of policy area 'Competition'

- Article 03.0102 — External staff and other management expenditure in support of policy area 'Competition'
 - Item 03.010201 — External staff NDA 607 000 EUR

Chapter 05.01 — Administrative expenditure of policy area 'Agriculture'

- Article 05.0102 — External staff and other management expenditure in support of policy area 'Agriculture'
 - Item 05.010201 — External staff NDA 490 000 EUR

Chapter 13.01 — Administrative expenditure of policy area 'Regional policy'

- Article 13.0102 — External staff and other management expenditure in support of policy area 'Regional policy'
 - Item 13.010201 — External staff NDA 514 000 EUR

Chapter 25.01 — Administrative expenditure of policy area 'Commission's policy coordination and legal advice'

- Article 25.0102 — External staff and other management expenditure in support of policy area 'Commission's policy coordination and legal advice'
 - Item 25.010211 — Other management expenditure of policy area 'Commission's policy coordination and legal advice' NDA 511 000 EUR

Chapter 27.01 — Administrative expenditure of policy area 'Budget'

- Article 27.0102 — External staff and other management expenditure in support of policy area 'Budget'
 - Item 27.010201 — External staff of DG 'Budget' NDA 37 000 EUR

12. Texts of agreements forwarded by the Council

The Council had forwarded certified true copies of the following documents:

- agreement between the European Community and the Kingdom of Cambodia on trade in textile products;
- agreement in the form of an exchange of letters extending for the period from 1 July 2003 to 30 June 2004 the validity of the protocol setting out the fishing opportunities and financial contribution provided for in the agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire.

13. Action taken on Parliament's positions and resolutions

The President announced that the Commission communication on the action taken by that institution on the following resolution had been distributed:

- European Parliament resolution on the Commission's legislative and work programme for 2004 (P5_TA(2003)0585).

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The following spoke: Dagmar Roth-Behrendt, who referred to the accusations made in the German press by a Member of Parliament concerning certain Members (*see in particular item 3 of Minutes of 29 March 2004*), and called for any documents substantiating those accusations to be forwarded to the Court of Auditors and to OLAF so that the matter might be properly investigated (the President called once again on the author of the accusations to communicate such documents to him, and pointed out that he had received nothing to date), and Jo Leinen.

Monday 19 April 2004

14. Order of business

The next item was the order of business.

The final draft agenda for the April 2004 sittings (PE 344.162/PDOJ) had been distributed and a number of changes had been proposed (Rule 111):

Sittings of 19 to 22 April 2004

Monday

- On a proposal from the President, the item 'One-minute speeches on matters of political importance', normally scheduled after the order of business, was replaced by an exchange of views on the recommendation from the JURI Committee to submit to the Court of Justice a request for an opinion (Article 300(6) of the Treaty) concerning the Treaty compatibility of a proposal for a Council decision on the conclusion of an agreement between the European Union and the United States on the processing and transfer of PNR data.
- Guido Podestà, on behalf of the PPE-DE Group as well as Vitaliano Gemelli, Chairman of the PETI Committee, had asked that the report by Johanna L.A. Boogerd-Quaak (A5-0230/2004) be referred back to Committee so that its admissibility could be examined (the President proposed to wait for the conclusions of the LIBE Committee meeting, scheduled for that evening at 19.00. Guido Podestà accepted that proposal).

The following spoke: Monica Frassoni, on behalf of the Verts/ALE Group, Johanna L.A. Boogerd-Quaak, (rapporteur), Francesco Fiori, who insisted that the request for referral back to committee be put to the vote, and Elena Ornella Paciotti, on behalf of the PSE Group.

The President pointed out that the deadline for tabling such a request, as provided for in Rule 144, had not been respected, but that the request could still be made at the time of the vote on the report.

Tuesday

- The report by Jan Mulder and Neena Gill (A5-0256/2004) (*item 107 of the Agenda*) was withdrawn from the Agenda, as the Council had accepted all Parliament's amendments.
- The PSE Group had requested that the vote on the report by Christa Randzio-Plath (A5-0273/2004), (*item 71 of the Agenda*), scheduled for voting time on Wednesday, be brought forward to Tuesday.
The request was approved.
- The GUE/NGL Group had requested that the report by Marianne Eriksson (A5-0274/2004) be entered on Tuesday's Agenda.

The following spoke: Marianne Eriksson, (rapporteur), who moved the request, Francis Wurtz, on behalf of the GUE/NGL Group, and Doris Pack, on behalf of the PPE-DE Group.

Parliament rejected the request by RCV (59 for, 127 against and 5 abstentions).

Corrections to votes:

Philippe A.R. Herzog, Umberto Scapagnini and Anne E.M. Van Lancker had intended to vote in favour.

- The PPE-DE Group had asked for the joint debate on discharges for 2002 (*items 34 to 38 of the Agenda*) to include a Commission statement on Eurostat, and the tabling of motions for resolutions.

The following spoke: Hans-Gert Poettering, on behalf of the PPE-DE Group, who moved the request, and Helmut Kuhne.

Parliament approved the request by EV (100 for, 86 against, and 2 abstentions).

Monday 19 April 2004

Deadlines for tabling:

- motions for resolutions: Tuesday 20 April at 10.00.
- amendments and joint motions: Wednesday 21 April at 10.00.

The vote would be on Thursday.

Wednesday

- The Verts-ALE Group had asked for the inclusion of Commission and Council statements on the situation in the Middle East.

The following spoke: Monica Frassoni, on behalf of the Verts/ALE Group, who moved the request, and Johannes (Hannes) Swoboda, on behalf of the PSE Group.

Parliament approved the request.

The item would be taken immediately after the debate on Cyprus (item 64), with the result that the afternoon's Question Time would probably have to be curtailed.

Thursday

- no changed proposed

Council request for the application of urgent procedure (Rule 112) for:

Initiative of the Italian Republic with a view to the adoption of a Council decision in respect of the organisation of joint flights to remove nationals of third countries residing illegally on the territory of two or more Member States.

Reason for request:

A legal vacuum would continue to exist in this important area so long as the Council had not taken a decision.

Parliament would take a decision on the request for urgent procedure at the beginning of the following day's sitting.

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The order of business was thus established.

15. EC-United States agreement on PNR data

Concerning the report by Johanna L.A. Boogerd-Quaak (A5-0271/2004), the President announced that he had received a letter from the Chairman of the JURI Committee, recommending that the opinion of the Court of Justice of the European Communities be sought regarding the validity of the EC-United States agreement on the processing and transfer of PNR data.

The following spoke: Frits Bolkestein (Member of the Commission), Klaus-Heiner Lehne, on behalf of the PPE-DE Group, Elena Ornella Paciotti, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group, Monica Frassoni, on behalf of the Verts/ALE Group, Johanna L.A. Boogerd-Quaak, (rapporteur), and Jorge Salvador Hernández Mollar, Chairman of the LIBE Committee.

The debate remained on Tuesday's agenda as scheduled and the vote would take place on Wednesday.

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The President announced that Members who had wanted to make 'One-minute speeches on matters of political importance' could either forward their speeches to him in writing or take the floor at the end of that evening's debates.

Monday 19 April 2004

16. Respect for and promotion of the values on which the Union is based (debate)

Report on the Commission communication on Article 7 of the Treaty on European Union: Respect for and promotion of the values on which the Union is based (COM(2003) 606 – C5-0594/2003 – 2003/2249(INI)) – Committee on Constitutional Affairs.

Rapporteur: Johannes Voggenhuber (A5-0227/2004)

Johannes Voggenhuber introduced the report.

IN THE CHAIR: David W. MARTIN

Vice-President

David Byrne (Member of the Commission) spoke.

The following spoke: Marcelino Oreja Arburúa, Jo Leinen, Sylvia-Yvonne Kaufmann, Georges Berthu and Hans-Peter Martin.

The debate closed.

Vote: *Minutes of 20.04.2004, Item 10.33.*

17. Cooperation on consumer protection *I – Consumer credit ***I – Unfair business-to-consumer commercial practices ***I (debate)**

Report on the proposal for a European Parliament and Council regulation on cooperation between national authorities responsible for the enforcement of consumer protection laws ('the regulation on consumer protection cooperation') [COM(2003) 443 – C5-0335/2003 – 2003/0162(COD)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Evelyne Gebhardt (A5-0191/2004).

Draftsman of the opinion (Rule 162a): Béatrice Patrie, ENVI Committee

Second report on the proposal for a directive of the European Parliament and of the Council on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers [COM(2002) 443 – C5-0420/2002 – 2002/0222(COD)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Joachim Wuermeling (A5-0224/2004)

Report on the proposal for a European Parliament and Council directive concerning unfair business-to-consumer commercial practices in the Internal Market and amending Directives 84/450/EEC, 97/7/EC and 98/27/EC (the Unfair Commercial Practices Directive) [COM(2003) 356 – C5-0288/2003 – 2003/0134(COD)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Fiorella Ghilardotti (A5-0188/2004).

Draftsman of the opinion (Rule 162a): Phillip Whitehead, ENVI Committee

David Byrne (Member of the Commission) spoke.

Evelyne Gebhardt introduced the report (A5-0191/2004).

Joachim Wuermeling introduced the report (A5-0224/2004).

Fiorella Ghilardotti introduced the report (A5-0188/2004).

The following spoke: Pervenche Berès (draftsman of the opinion of the ECON Committee), Béatrice Patrie (draftsman of the opinion of the ENVI Committee) and Phillip Whitehead (draftsman of the opinion of the ENVI Committee).

Monday 19 April 2004

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following spoke: Marianne L.P. Thyssen, on behalf of the PPE-DE Group, Manuel Medina Ortega, on behalf of the PSE Group, Astrid Thors, on behalf of the ELDR Group, Neil McCormick, on behalf of the Verts/ALE Group, Rijk van Dam, on behalf of the EDD Group, María Sornosa Martínez (draftsman of the opinion of the ENVI Committee), Paolo Bartolozzi, Arlene McCarthy, Diana Wallis, Klaus-Heiner Lehne, Othmar Karas, Avril Doyle, Malcolm Harbour and David Byrne.

The debate closed.

Vote: *Minutes of 20.04.2004, Items 10.20 to 10.22.*

18. Residue levels of pesticides in plant and animal products *I (debate)**

Report on the proposal for a regulation of the European Parliament and of the Council on maximum residue levels of pesticides in products of plant and animal origin [COM(2003) 117 – C5-0108/2003 – 2003/0052(COD)] – Committee on the Environment, Public Health and Consumer Policy.
Rapporteur: Robert William Sturdy (A5-0260/2004)

David Byrne (Member of the Commission) spoke.

Robert William Sturdy introduced the report.

The following spoke: Saïd El Khadraoui, on behalf of the PSE Group, Patricia McKenna, on behalf of the Verts/ALE Group, Dorette Corbey and David Byrne.

The debate closed.

Vote: *Minutes of 20.04.2004, Item 10.23.*

19. Modernising company law and enhancing corporate governance (debate)

Report on the communication from the Commission to the Council and the European Parliament on modernising company law and enhancing corporate governance in the European Union – a plan to move forward [COM(2003) 284 – C5-0378/2003 – 2003/2150(INI)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Fiorella Ghilardotti (A5-0253/2004).

Draftsman of the opinion (Rule 162a): Pervenche Berès, ECON Committee

Fiorella Ghilardotti introduced the report.

Frits Bolkestein (Member of the Commission) spoke.

The following spoke: Pervenche Berès (draftsman of the opinion of the ECON Committee), Per-Arne Arvidsson (draftsman of the opinion of the ITRE Committee), Ioannis Koukiadis (draftsman of the opinion of the EMPL Committee), Klaus-Heiner Lehne, on behalf of the PPE-DE Group, Inglewood and Frits Bolkestein.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.24.*

Monday 19 April 2004

20. Single payment area (debate)

Report on a legal framework for a single payment area [2003/2101(INI)] – Committee on Economic and Monetary Affairs.

Rapporteur: Alexander Radwan (A5-0192/2004)

Alexander Radwan introduced the report.

IN THE CHAIR: Gérard ONESTA

Vice-President

Frits Bolkestein (Member of the Commission) spoke.

The following spoke: Helena Torres Marques, on behalf of the PSE Group, Philippe A.R. Herzog, on behalf of the GUE/NGL Group, and Frits Bolkestein.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.26.*

21. Security of natural gas supply ***I – Access to gas transmission networks ***I (debate)

Report on the modification of the legal base and general guideline of the Council in view of the entry into force of a directive of the European Parliament and the Council concerning measures to safeguard security of natural gas supply [15769/2003 – C5-0027/2004 – 2002/0220(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Peter Michael Mombaur (A5-0213/2004)

Report on the proposal for a regulation of the European Parliament and of the Council on conditions for access to the gas transmission networks [COM(2003) 741 – C5-0644/2003 – 2003/0302(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Esko Olavi Seppänen (A5-0254/2004)

Loyola de Palacio (Vice-President of the Commission) spoke.

Peter Michael Mombaur introduced the report (A5-0213/2004).

Esko Olavi Seppänen introduced the report (A5-0254/2004).

Giles Bryan Chichester spoke on behalf of the PPE-DE Group.

IN THE CHAIR: Catherine LALUMIÈRE

Vice-President

The following spoke: Bernhard Rapkay, on behalf of the PSE Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Hans Kronberger, Non-attached Member, Gordon J. Adam, Benedetto Della Vedova, Rolf Linkohr, Reino Paasilinna and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 20.04.2004, Items 10.24 and 10.25.*

Monday 19 April 2004

22. Eco-design requirements for Energy-Using Products ***I (debate)

Report on the proposal for a directive of the European Parliament and of the Council on establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/EEC [COM(2003) 453 — C5-0369/2003 — 2003/0172(COD)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Astrid Thors (A5-0171/2004).

Draftsman of the opinion (Rule 162a): Claude Turmes, ITRE Committee

Loyola de Palacio (Vice-President of the Commission) spoke.

Astrid Thors introduced the report.

The following spoke: Claude Turmes (draftsman of the opinion of the ITRE Committee), Peter Liese, on behalf of the PPE-DE Group, Karin Scheele, on behalf of the PSE Group, Chris Davies, on behalf of the ELDR Group, David Robert Bowie and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 20.04.2004, Item 10.26.*

23. 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:

- Decision of the European Parliament and of the Council amending Decision No 1692/96/EC on Community guidelines for the development of trans-European transport network (C5-0184/2004 — 2001/0229(COD) — 5762/1/2004 — 8073/2004 — COM(2004) 294)
referred to responsible: RETT
asked for opinion at 1st reading: BUDG, ENVI, ITRE

The three-month period available to Parliament to adopt its position would therefore begin the following day, 20 April 2004.

24. Greenhouse gas emission allowance trading ***I (debate)

Report on the proposal for a directive of the European Parliament and of the Council amending the Directive establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms [COM(2003) 403 — C5-0355/2003 — 2003/0173(COD)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Alexander de Roo (A5-0154/2004)

Margot Wallström (Member of the Commission) spoke.

IN THE CHAIR: Charlotte CEDERSCHIÖLD

Vice-President

Alexander de Roo introduced the report.

The following spoke: Rolf Linkohr (draftsman of the opinion of the ITRE Committee), Cristina García-Orcyoyen Tormo, on behalf of the PPE-DE Group, David Robert Bowie, on behalf of the PSE Group, Chris Davies, on behalf of the ELDR Group, Ria G.H.C. Oomen-Ruijten, Peter Liese and Margot Wallström.

The debate closed.

Vote: *Minutes of 20.04.2004, Item 10.27.*

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Monday 19 April 2004

Jens-Peter Bonde pointed out that the motion of censure on the Commission concerning Eurostat had obtained sufficient signatures pursuant to Rule 34 for it to be debated and voted on (the President took note of his remarks and informed him that the President of Parliament would address the matter the following day).

25. Batteries and accumulators *I (debate)**

Report on the proposal for a directive of the European Parliament and of the Council on batteries and accumulators and spent batteries and accumulators [COM(2003) 723 – C5-0563/2003 – 2003/0282(COD)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Johannes (Hans) Blokland (A5-0265/2004)

Margot Wallström (Member of the Commission) spoke.

Johannes (Hans) Blokland introduced the report.

The following spoke: Rolf Linkohr (draftsman of the opinion of the ITRE Committee), Robert Goodwill, on behalf of the PPE-DE Group, Bernd Lange, on behalf of the PSE Group, Chris Davies, on behalf of the ELDR Group, Alexander de Roo, on behalf of the Verts/ALE Group, Patricia McKenna and Margot Wallström.

The debate closed.

Vote: *Minutes of 20.04.2004, Item 10.28.*

26. Integrated product policy (debate)

Report on the communication from the Commission to the Council and the European Parliament: Integrated Product Policy: Building on Environmental Life-Cycle Thinking [COM(2003) 302 – C5-0550/2003 – 2003/2221(INI)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Anders Wijkman (A5-0261/2004)

Anders Wijkman introduced the report.

Margot Wallström (Member of the Commission) spoke.

Bernd Lange spoke on behalf of the PSE Group.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.27.*

27. Coordination of social security systems *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 the coordination of social security systems [15577/6/2003 – C5-0043/2004 – 1998/0360(COD)] – Committee on Employment and Social Affairs.

Rapporteur: Jean Lambert (A5-0234/2004)

Jean Lambert introduced the recommendation for second reading.

Anna Diamantopoulou (Member of the Commission) spoke.

Monday 19 April 2004

The following spoke: Ria G.H.C. Oomen-Ruijten, on behalf of the PPE-DE Group, Ieke van den Burg, on behalf of the PSE Group, Johanna L.A. Boogerd-Quaak, on behalf of the ELDR Group, Brian Crowley, on behalf of the UEN Group, Marie-Hélène Gillig and Anna Diamantopoulou.

The debate closed.

Vote: *Minutes of 20.04.2004, Item 10.17.*

28. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 344.162/OJMA.

29. Closure of sitting

The sitting closed at 23.40.

Julian Priestley
Secretary-General

David W. Martin
Vice-President

Monday 19 April 2004

ATTENDANCE REGISTER

The following signed:

Aaltonen, Adam, Aguiriano Nalda, Nuala Ahern, Almeida Garrett, Alyssandrakis, Andersson, Andreassen, André-Léonard, Andrews, Andria, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Belder, Berend, Berès, van den Berg, Bergaz Conesa, Bernié, Berthu, Bertinotti, Beysen, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, van den Bos, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bradbourn, Bremmer, Breyer, Brie, Brienza, Brok, Bullmann, van den Burg, Bushill-Matthews, Busk, Callanan, Calò, Camisón Asensio, Campos, Camre, Cardoso, Carlotti, Carraro, Casaca, Cashman, Caudron, Cederschiöld, Cercas, Cerdeira Morterero, Cesaro, Chichester, Chountis, Claeys, Coelho, Collins, Corbett, Corbey, Cornillet, Corrie, Paolo Costa, Raffaele Costa, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Dehousse, De Keyser, Dell'Alba, Della Vedova, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Dimitrakopoulos, Doorn, Dover, Doyle, Duff, Duhamel, Duin, Dupuis, Duthu, Dybkjær, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Robert J.E. Evans, Färm, Farage, Fava, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebigler, Fiori, Fitzsimons, Florenz, Ford, Foster, Fourtou, Frahm, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcóyen Tormo, Garot, Garriga Polledo, de Gaulle, Gawronski, Gebhardt, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Harbour, Hatzidakis, Haug, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Honeyball, Hortefeux, Hudghton, Hughes, van Hulten, Hyland, Iivari, Inglewood, Izquierdo Collado, Izquierdo Rojo, Jackson, Jensen, Jöns, Jonckheer, Jové Peres, Kaldi, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Ludford, Lulling, Lund, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, Maes, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marinos, Markov, Marques, David W. Martin, Hans-Peter Martin, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Hans-Peter Mayer, Xaver Mayer, Medina Ortega, Meijer, Méndez de Vigo, Mendiluce Pereiro, Menéndez del Valle, Mennea, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morera Català, Morgan, Morillon, Müller, Mulder, Murphy, Myller, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Nordmann, Ojeda Sanz, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, O'Toole, Paasilinna, Pacheco Pereira, Paciotti, Pack, Papayannakis, Parish, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Perry, Pesälä, Pex, Piecyk, Piscarreta, Plooi-van Gorsel, Podestà, Poettering, Pohjamo, Pomés Ruiz, Poos, Posselt, Prets, Pronk, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Ribeiro e Castro, de Roo, Roth-Behrendt, Rothe, Roure, Rousseaux, Rovsing, Rübig, Rühle, Rutelli, Sacconi, Sacrédeus, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Scallon, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schnoager, Segni, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Soares, Sörensen, Sommer, Soriano Gil, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stevenson, Stihler, Stockton, Sturdy, Sudre, Suominen, Swiebel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Turco, Turmes, Twinn, Uca, Väyrynen, Vairinhos, Valenciano Martínez-Orozco, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Veltroni, van Velzen, Vidal-Quadras Roca, Vila Abelló, Villiers, Virrankoski, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener, Zorba, Zrihen

Observers

A. Nagy, Azzopardi, Bagó, Bastys, Bauer, Berg, Bielan, Bonnici, Christoforou, Chronowski, Zbigniew Chrzanowski, Cybulski, Demetriou, Drzela, Ékes, Gałażewski, Golde, Genowefa Grabowska, Gruber, Heriban, Jerzy Jaskiernia, Kamiński, Kāposts, Kelemen, Kiršteins, Kļaviņš, Kłopotek, Klukowski, Kriščiūnas, Daniel Kroupa, Kubica, Kubovič, Kuzmickas, Kvietauskas, Laar, Libicki, Lisak, Lydeka, Macierewicz, Maldeikis, Matsakis, Óry, Pęczak, Plokšto, Podgórski, Protasiewicz, Pusz, Janno Reiljan, Rutkowski, Savi, Siekierski, Šlesere, Smorawiński, Surján, Tomczak, Vaculík, Valys, George Varnava, Vella, Vèsaitè, Wittbrodt, Żenkiewicz

Monday 19 April 2004

ANNEX I

RESULT OF ROLL-CALL VOTES

1. Agenda modification

Eriksson report

For: 59**EDD:** Belder, Bonde, van Dam, Sandbæk**ELDR:** Boogerdt-Quaak, Busk, Calò, Davies, De Clercq, Dybkjær, Jensen, Ludford, Nordmann, Paulsen, Pesälä, Pohjamo, Rousseaux, Sørensen, Thors, Watson**GUE/NGL:** Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Di Lello Finuoli, Eriksson, Fiebigler, Frahm, Jové Peres, Korakas, Koulourianos, Krarup, Manisco, Markov, Meijer, Patakis, Schmid Herman, Seppänen, Uca, Wurtz**NI:** Gorostiaga Atxalandabaso, Turco**PPE-DE:** Cederschiöld, Posselt, Radwan, Stenmarck**PSE:** Dhaene, Färm, Hedkvist Petersen, Kuckelkorn, Paciotti, Patrie, Sacconi, Theorin, Thorning-Schmidt, Trentin, Weiler**Verts/ALE:** Ahern, Maes**Against: 127****NI:** Berthu, Claeys, de La Perriere, Souchet**PPE-DE:** Averoff, Avilés Perea, Bartolozzi, Bayona de Perogordo, Berend, Bodrato, Böge, Cardoso, Cesaro, Chichester, Coelho, Corrie, Daul, Descamps, Dover, Doyle, Ferri, Fiori, Foster, Fourtou, Glase, Goepel, Gouveia, Graça Moura, Grossetête, Gutiérrez-Cortines, Hatzidakis, Helmer, Hermange, Herranz García, Kaldí, Karas, Keppelhoff-Wiechert, Klauf, Knolle, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Mantovani, Marinos, Méndez de Vigo, Mombaur, Morillon, Naranjo Escobar, Oreja Arburúa, Pack, Pex, Podestà, Poettering, Røvsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schnellhardt, Schröder Jürgen, Stauner, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Varela Suanzes-Carpegna, Vila Abelló, Villiers, Wachtmeister, Wenzel-Perillo, Zimmerling**PSE:** Baltas, Bösch, Bowie, Corbett, Corbey, Duin, Ettl, Gebhardt, Ghilardotti, Gillig, Glante, Guy-Quint, van Hulten, Jöns, Kindermann, Koukiadis, Kuhne, Lalumière, Lange, Leinen, McCarthy, Mastorakis, Medina Ortega, Müller, Myller, Napoletano, Prets, Roth-Behrendt, Souladakis, Swiebel, Swoboda, Titley, Walter, Wiersma**UEN:** Thomas-Mauro**Verts/ALE:** Duthu, Lannoye, McCormick, McKenna, Morera i Catalá, de Roo, Rühle, Staes, Voggenhuber, Wuori**Abstention: 5****GUE/NGL:** Herzog**PPE-DE:** Banotti**PSE:** Poos**Verts/ALE:** Echerer, Schroedter

Tuesday 20 April 2004

(2004/C 104 E/02)

MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Giorgos DIMITRAKOPOULOS

Vice-President

1. Opening of sitting

The sitting opened at 09.00.

2. Membership of Parliament

The competent Spanish authorities had given notice of the appointment of Mr D Luis Marco Aguiriano Nalda to replace Mrs María Rodríguez Ramos, as Member of Parliament, with effect from 19 April 2004.

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

3. Membership of committees and delegations

At the request of the PSE Group, Parliament ratified the following appointment:

Mr Aguiriano Nalda as member of the

- BUDG Committee
- Delegation for relations with the People's Republic of China.

4. Vote on request for urgent procedure

Request for urgent procedure:

- initiative of the Italian Republic with a view to the adoption of a Council decision in respect of the organisation of joint flights to remove nationals of third countries residing illegally on the territory of two or more Member States — (12025/2003 — C5-0440/2003 and 14205/2003 — C5-0582/2003 — 2003/0821(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Martine Roure, on behalf of the PSE Group, spoke on the request.

The request for urgent procedure was rejected.

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Jens-Peter Bonde referred to his remarks of the previous day (*Minutes of 19.04.2004, Item 24*) when he pointed out that the motion of censure on the Commission concerning Eurostat had obtained the required number of signatures, and asked to know what would happen next (the President replied that the services responsible were checking the number of signatures and that Parliament would then be informed accordingly).

Tuesday 20 April 2004

5. Safety at sea (debate)

Report on improving safety at sea [2003/2235(INI)] – Temporary committee on improving safety at sea.
Rapporteur: Dirk Sterckx (A5-0257/2004)

Herman Vermeer (deputising for the rapporteur) introduced the report.

Loyola de Palacio (Vice-President of the Commission) spoke.

The following spoke: Daniel Varela Suanzes-Carpegna, on behalf of the PPE-DE Group, Gilles Savary, on behalf of the PSE Group, Astrid Thors, on behalf of the ELDR Group, María Luisa Bergaz Conesa, on behalf of the GUE/NGL Group, Camilo Nogueira Román, on behalf of the Verts/ALE Group, Alain Esclopé, on behalf of the EDD Group, Dominique F.C. Souchet, Non-attached Member, Françoise Grossetête, Rosa Miguélez Ramos and Sylviane H. Ainardi.

IN THE CHAIR: Gérard ONESTA

Vice-President

The following spoke: Josu Ortuondo Larrea, Koldo Gorostiaga Atxalandabaso, Georg Jarzembowski, Emmanouil Mastorakis, Konstantinos Hatzidakis, Jan Marinus Wiersma, Manuel Pérez Álvarez, Juan de Dios Izquierdo Collado, Peter Pex, Bernard Poignant, Brigitte Langenhagen, Wilhelm Ernst (Willi) Piecyk, John Walls Cushnahan, Jan Dhaene, Loyola de Palacio and Koldo Gorostiaga Atxalandabaso on the last speaker's remarks.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.28.*

6. Charging HGVs for infrastructure ***I (debate)

Report on the proposal for a European Parliament and Council directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures [COM(2003) 448 – C5-0351/2003 – 2003/0175(COD)] – Committee on Regional Policy, Transport and Tourism.
Rapporteur: Luigi Cocilovo (A5-0220/2004)

Loyola de Palacio (Vice-President of the Commission) spoke.

Luigi Cocilovo introduced the report.

The following spoke: Manuel António dos Santos (draftsman of the opinion of the ECON Committee) and Georg Jarzembowski, on behalf of the PPE-DE Group.

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following spoke: Ulrich Stockmann, on behalf of the PSE Group, Paolo Costa, on behalf of the ELDR Group, Elisabeth Schroedter, on behalf of the Verts/ALE Group, Reinhard Rack, Johannes (Hannes) Swo-boda, Herman Vermeer, Claude Turmes, Ari Vatanen, Ewa Hedkvist Petersen, Gilles Savary and Jan Dhaene.

The debate closed.

Vote: *Item 10.29.*

Tuesday 20 April 2004

7. Social legislation relating to road transport ***I (debate)

Report on the proposal for a European Parliament and Council directive on minimum conditions for the implementation of Directive 2002/15/EC and Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities [COM(2003) 628 – C5-0601/2003 – 2003/0255(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Helmuth Markov (A5-0216/2004)

Draftsman of the opinion (Rule 162a): Elisabeth Schroedter, EMPL Committee

Loyola de Palacio (Vice-President of the Commission) spoke.

Helmuth Markov introduced the report.

The following spoke: Elisabeth Schroedter (draftsman of the opinion of the EMPL Committee), Mathieu Grosch, on behalf of the PPE-DE Group, Emmanouil Mastorakis, on behalf of the PSE Group, Samuli Pohjamo, on behalf of the ELDR Group, Arlette Laguiller, on behalf of the GUE/NGL Group, and Rijk van Dam, on behalf of the EDD Group.

The debate closed.

Vote: *Item 10.30.*

8. Minimum safety requirements for tunnels in the Trans-European Road Network ***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 minimum safety requirements for tunnels in the Trans-European Road Network [5238/1/2004 – C5-0118/2004 – 2002/0309(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Reinhard Rack (A5-0249/2004)

Reinhard Rack introduced the recommendation for second reading.

Loyola de Palacio (Vice-President of the Commission) spoke.

The following spoke: Giorgio Lisi, on behalf of the PPE-DE Group, and Johannes (Hannes) Swoboda, on behalf of the PSE Group.

The debate closed.

Vote: *Item 10.18.*

IN THE CHAIR: Pat COX

President

9. Agenda

The President made the following announcements:

1. The RETT Committee had asked that the Bradbourn recommendation for second reading on development of the trans-European transport network (*item 30 of the Agenda*) be put to the vote on Wednesday without debate.

The President stated that the deadline for tabling amendments would therefore be brought forward to 17.00 that day.

Parliament agreed to the request.

2. The deadline for tabling amendments to the Brok report on the EC-Pakistan cooperation agreement (*item 67 of the Agenda*) had been extended until 10.00 on Wednesday.

Tuesday 20 April 2004

3. The motion of censure on the Commission for its role in the Eurostat affair (B5-0189/2004) had obtained the signatures of 65 Members and would therefore be forwarded to the Commission. The President proposed that the debate be held on Wednesday at 21.00 and that, in accordance with Rule 34(5), which stipulated that the vote on the motion of censure must take place at least 48 hours after the opening of the debate, the motion of censure be put to the vote at the May 2004 part-session.

The following spoke: on this last point Enrique Barón Crespo, on behalf of the PSE Group, Hans-Gert Poettering, on behalf of the PPE-DE Group, on Enrique Barón Crespo's remarks, Jens-Peter Bonde, Mogens N.J. Camre and Daniel Marc Cohn-Bendit.

10. Voting time

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

10.1. Wider Europe – New Neighbourhood policy * (Rule 110a) (final vote)

Report on the proposal for a Council decision amending Decision 2000/24/EC to take into account the enlargement of the European Union and the EU's Wider Europe – New Neighbourhood policy [COM(2003) 603 – C5-0501/2003 – 2003/0232(CNS)] – Committee on Budgets.
Rapporteur: Reimer Böge (A5-0198/2004).

The report had been referred back to Committee (Rule 69(2) on 31 March 2004 (*Item 6.7 of the Minutes*))
(*Simple majority*)
(*Voting record: Annex I, Item 1*)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0278)

10.2. Tax reductions on energy products in Cyprus * (Rule 110a) (vote)

Report on the proposal for a Council directive amending Directive 2003/96/EC as regards the possibility for Cyprus to apply, in respect of energy products and electricity, temporary exemptions or reductions in the levels of taxation [COM(2004) 185 – C5-0175/2004 – 2004/0067(CNS)] – Committee on Economic and Monetary Affairs.
Rapporteur: Christa Randzio-Plath (A5-0264/2004)
(*Simple majority*)
(*Voting record: Annex I, Item 2*)

COMMISSION PROPOSAL and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0279)

Tuesday 20 April 2004

10.3. Electronic road toll systems *II (Rule 110a) (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 interoperability of electronic road toll systems in the Community [6277/1/2004 – C5-0163/2004 – 2003/0081(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Renate Sommer (A5-0246/2004).

(Qualified majority)

(Voting record: Annex I, Item 3)

COMMON POSITION OF THE COUNCIL

Renate Sommer made a statement pursuant to Rule 110a(4).

Declared approved (P5_TA(2004)0280)

10.4. Community Customs Code*I (Rule 110a) (vote)**

Report on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [COM(2003) 452 – C5-0345/2003 – 2003/0167(COD)] – Committee on Legal Affairs.

Rapporteur: Janelly Fourtou (A5-0255/2004).

(Simple majority)

(Voting record: Annex I, Item 4)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0281)

10.5. European Organisation for the Safety of Air Navigation * (Rule 110a) (vote)**

Recommendation on the proposal for a Council decision on the conclusion by the European Community of the Protocol on the accession of the European Community to the European Organisation for the Safety of Air Navigation (Eurocontrol) [5747/2004 – COM(2003) 555 – C5-0065/2004 – 2003/0214(AVC)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Christine De Veyrac (A5-0215/2004).

(Simple majority)

(Voting record: Annex I, Item 5)

DRAFT LEGISLATIVE RESOLUTION

Christine De Veyrac made a statement pursuant to Rule 110a(4).

Adopted by single vote (P5_TA(2004)0282)

10.6. Local border traffic at the external land borders * (Rule 110a) (vote)

Report on the proposal for a Council regulation on the establishment of a regime of local border traffic at the external land borders of the Member States [COM(2003) 502 – C5-0442/2003 – 2003/0193(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Carmen Cerdeira Morterero (A5-0142/2004).

(Simple majority)

(Voting record: Annex I, Item 6)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0283)

Tuesday 20 April 2004

10.7. Local border traffic at the temporary external land borders * (Rule 110a)
(vote)

Report on the proposal for a Council regulation on the establishment of a regime of local border traffic at the temporary external land borders between Member States [COM(2003) 502 – C5-0443/2003 – 2003/0194(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Stockton (A5-0141/2004).

(Simple majority)

(Voting record: Annex I, Item 7)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0284)

10.8. Information and co-ordination of migration management services *
(Rule 110a) (vote)

Report on the proposal for a Council decision establishing a secure web-based Information and Co-ordination Network for Member States' Migration Management Services [COM(2003) 727 – C5-0612/2003 – 2003/0284(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Ewa Klamt (A5-0145/2004).

(Simple majority)

(Voting record: Annex I, Item 8)

DRAFT LEGISLATIVE RESOLUTION

Ewa Klamt made a statement pursuant to Rule 110a(4).

Adopted by single vote (P5_TA(2004)0285)

10.9. Place of supply of services * (Rule 110a) (vote)

Report on the proposal for a Council directive amending Directive 77/388/EEC as regards the place of supply of services [COM(2003) 822 – C5-0026/2004 – 2003/0329(CNS)] – Committee on Economic and Monetary Affairs.

Rapporteur: Othmar Karas (A5-0233/2004).

(Simple majority)

(Voting record: Annex I, Item 9)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0286)

10.10. European Space Agency * (Rule 110a) (vote)

Report on the proposal for a Council decision on the conclusion of the Framework Agreement between the European Community and the European Space Agency [COM(2004) 85/2 – C5-0099/2004 – 2004/0028(CNS)] – Committee on Industry, Research and Energy.

Rapporteur: Guido Bodrato (A5-0222/2004).

(Simple majority)

(Voting record: Annex I, Item 10)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0287)

Tuesday 20 April 2004

10.11. Proposal for a Council Decision establishing the Visa Information System (VIS) * (Rule 110a) (vote)

Report on the proposal for a Council Decision establishing the Visa Information System (VIS) [COM(2004) 99 – C5-0098/2004 – 2004/0029(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Carlos Coelho (A5-0262/2004).

(Simple majority)

(Voting record: Annex I, Item 11)

COMMISSION PROPOSAL

Rejected by single vote

Carlos Coelho (rapporteur), had recommended rejection of the Commission proposal. Loyola de Palacio (Vice-President of the Commission) had stated that the Commission maintained its proposal. The matter was therefore referred back to Committee pursuant to Rule 68(3).

The rapporteur spoke on the referral.

10.12. Obligation of carriers to communicate passenger data * (Rule 110a) (vote)

Report on the initiative of the Kingdom of Spain with a view to adopting a Council Directive on the obligation of carriers to communicate passenger data [6620/2004 – C5-0111/2004 – 2003/0809(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Jorge Salvador Hernández Mollar (A5-0266/2004).

(Simple majority)

(Voting record: Annex I, Item 12)

INITIATIVE OF THE KINGDOM OF SPAIN

Rejected by single vote

The matter was referred back to committee pursuant to Rule 68(3).

10.13. Irish and UK initiatives on a European Police College * (Rule 110a) (vote)

Report

1. on the initiative of Ireland with a view to adopting a Council decision amending Decision 2000/820/JHA establishing a European Police College (CEPOL) [15400/2003 – C5-0001/2004 – 2004/0801(CNS)]
2. on the initiative of the United Kingdom with a view to the adoption of a Council decision amending Decision 2000/820/JHA establishing a European Police College (CEPOL) [5121/2004 – C5-0040/2004 – 2004/0802(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Martine Roure (A5-0140/2004).

(Simple majority)

(Voting record: Annex I, Item 13)

DRAFT LEGISLATIVE RESOLUTIONS

Adopted by single vote (P5_TA(2004)0288 and P5_TA(2004)0289)

Tuesday 20 April 2004

10.14. Appointment of a member of the ECB Executive Board (Rule 110a) (vote)

Report on the draft recommendation of the Council concerning the appointment of Mr José Manuel González-Páramo as a member of the Executive Board of the European Central Bank (6315/2004 — C5-0176/2004 — 2004/0808(CNS)) — Committee on Economic and Monetary Affairs.

Rapporteur: Christa Randzio-Plath (A5-0273/2004).

(vote by secret ballot: Rule 136(1))

(Simple majority)

(Voting record: Annex I, Item 14)

PROPOSAL FOR A DECISION

Christa Randzio-Plath made a statement pursuant to Rule 110a(4).

Adopted by single vote by secret ballot (363 for, 113 against, 52 abstentions) (P5_TA(2004)0290)

10.15. Impact of Community regulations (Rule 110a) (vote)

Report on the assessment of the impact of Community regulations and the consultation procedures [2003/2079(INI)] — Committee on Legal Affairs.

Rapporteur: Bert Doorn (A5-0221/2004).

(Simple majority)

(Voting record: Annex I, Item 15)

MOTION FOR A RESOLUTION

Adopted by single vote (P5_TA(2004)0291)

10.16. Equal opportunities for the disabled (Rule 110a) (vote)

Report on the communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: Equal opportunities for people with disabilities: A European Action Plan [COM(2003) 650 — C5-0039/2004 — 2004/2004(INI)] — Committee on Employment and Social Affairs.

Rapporteur: Mario Mantovani (A5-0263/2004).

(Simple majority)

(Voting record: Annex I, Item 16)

MOTION FOR A RESOLUTION

Adopted by single vote (P5_TA(2004)0292)

10.17. Coordination of social security systems *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 the coordination of social security systems [15577/6/2003 — C5-0043/2004 — 1998/0360(COD)] — Committee on Employment and Social Affairs.

Rapporteur: Jean Denise Lambert (A5-0234/2004).

(Qualified majority)

(Voting record: Annex I, Item 17)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2004)0293)

Tuesday 20 April 2004

10.18. Minimum safety requirements for tunnels in the Trans-European Road Network *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 minimum safety requirements for tunnels in the Trans-European Road Network [5238/1/2004 – C5-0118/2004 – 2002/0309(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Reinhard Rack (A5-0249/2004).

(Qualified majority)

(Voting record: Annex I, Item 18)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2004)0294)

10.19. Quality of ambient air *I (vote)**

Report on the proposal for a European Parliament and Council directive relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air [COM(2003) 423 – C5-0331/2003 – 2003/0164(COD)] – Committee on the Environment, Public Health and Food Safety.

Rapporteur: Hans Kronberger (A5-0047/2004).

The debate took place on 9 March 2004 (*Minutes of 19.03.2004, Item 19*)

(Simple majority)

(Voting record: Annex I, Item 19)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0295)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0295)

10.20. Cooperation on consumer protection *I (vote)**

Report on the proposal for a European Parliament and Council regulation on cooperation between national authorities responsible for the enforcement of consumer protection laws ('the regulation on consumer protection cooperation') [COM(2003) 443 – C5-0335/2003 – 2003/0162(COD)] – Committee on Legal Affairs.

Rapporteur: Evelyne Gebhardt (A5-0191/2004).

(Simple majority)

(Voting record: Annex I, Item 20)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0296)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0296)

Tuesday 20 April 2004

10.21. Consumer credit *I (vote)**

Report on the proposal for a directive of the European Parliament and of the Council on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers [COM(2002) 443 – C5-0420/2002 – 2002/0222(COD)] – Committee on Legal Affairs.

Rapporteur: Joachim Wuermeling (A5-0224/2004).

(Simple majority)

(Voting record: Annex I, Item 21)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0297)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0297)

The following spoke:

Joachim Wuermeling, rapporteur, proposed that a number of amendments on which separate votes had been requested be put to the vote collectively. Arlene McCarthy, on behalf of the PSE Group, agreed to this proposal on condition that amendments 38, 39, 80, 102, 122, 127 and 128 be put to the vote individually. The President indicated that amendments 38, 39 and 102 had been withdrawn. The rapporteur agreed to Arlene McCarthy's request.

Joachim Wuermeling moved an oral amendment to amendment 178, which was not agreed to as more than 32 Members opposed this.

In reply to a remark by Arlene McCarthy, the rapporteur confirmed that amendment 206 had fallen.

10.22. Unfair business-to-consumer commercial practices *I (vote)**

Report on the proposal for a European Parliament and Council directive concerning unfair business-to-consumer commercial practices in the Internal Market and amending Directives 84/450/EEC, 97/7/EC and 98/27/EC (the Unfair Commercial Practices Directive) [COM(2003) 356 – C5-0288/2003 – 2003/0134(COD)] – Committee on Legal Affairs.

Rapporteur: Fiorella Ghilardotti (A5-0188/2004).

(Simple majority)

(Voting record: Annex I, Item 22)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0298)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0298)

10.23. Residue levels of pesticides in plant and animal products *I (vote)**

Report on the proposal for a regulation of the European Parliament and of the Council on maximum residue levels of pesticides in products of plant and animal origin [COM(2003) 117 – C5-0108/2003 – 2003/0052(COD)] – Committee on the Environment, Public Health and Food Safety.

Rapporteur: Robert William Sturdy (A5-0260/2004).

(Simple majority)

(Voting record: Annex I, Item 23)

Tuesday 20 April 2004

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0299)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0299)

10.24. Security of natural gas supply *I (vote)**

Report on the modification of the legal base and general guideline of the Council in view of the entry into force of a directive of the European Parliament and the Council concerning measures to safeguard security of natural gas supply [15769/2003 – C5-0027/2004 – 2002/0220(COD)] – Committee on Industry, Research and Energy.

Rapporteur: Peter Michael Mombaur (A5-0213/2004).

(Simple majority)

(Voting record: Annex I, Item 24)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0299)

10.25. Access to gas transmission networks *I (vote)**

Report on the proposal for a regulation of the European Parliament and of the Council on conditions for access to the gas transmission networks [COM(2003) 741 – C5-0644/2003 – 2003/0302(COD)] – Committee on Industry, Research and Energy.

Rapporteur: Esko Olavi Seppänen (A5-0254/2004).

(Simple majority)

(Voting record: Annex I, Item 25)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0301)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0301)

The following spoke:

Peter Michael Mombaur drew attention to a discrepancy between the German and English versions of amendment 43 and pointed out that the authoritative version was the English one.

10.26. Eco-design requirements for Energy-Using Products *I (vote)**

Report on the proposal for a directive of the European Parliament and of the Council on establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/EEC [COM(2003) 453 – C5-0369/2003 – 2003/0172(COD)] – Committee on the Environment, Public Health and Food Safety.

Rapporteur: Astrid Thors (A5-0171/2004).

(Simple majority)

(Voting record: Annex I, Item 26)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0302)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0302)

Tuesday 20 April 2004

10.27. Greenhouse gas emission allowance trading *I (vote)**

Report on the proposal for a directive of the European Parliament and of the Council amending the Directive establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms [COM(2003) 403 – C5-0355/2003 – 2003/0173(COD)] – Committee on the Environment, Public Health and Food Safety.

Rapporteur: Alexander de Roo (A5-0154/2004)

(Simple majority)

(Voting record: Annex I, Item 27)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0303)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0303)

10.28. Batteries and accumulators *I (vote)**

Report on the proposal for a directive of the European Parliament and of the Council on batteries and accumulators and spent batteries and accumulators [COM(2003) 723 – C5-0563/2003 – 2003/0282(COD)] – Committee on the Environment, Public Health and Food Safety.

Rapporteur: Johannes (Hans) Blokland (A5-0265/2004).

(Simple majority)

(Voting record: Annex I, Item 28)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0304)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0304)

10.29. Charging HGVs for infrastructure *I (vote)**

Report on the proposal for a European Parliament and Council directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures [COM(2003) 448 – C5-0351/2003 – 2003/0175(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Luigi Cocilovo (A5-0220/2004).

(Simple majority)

(Voting record: Annex I, Item 29)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0305)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0305)

The following spoke:

Gilles Savary drew attention to a mistake in the French version of amendment 48.

Tuesday 20 April 2004

10.30. Social legislation relating to road transport *I (vote)**

Report on the proposal for a European Parliament and Council directive on minimum conditions for the implementation of Directive 2002/15/EC and Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities [COM(2003) 628 — C5-0601/2003 — 2003/0255(COD)] — Committee on Regional Policy, Transport and Tourism.

Rapporteur: Helmuth Markov (A5-0216/2004).

(Simple majority)

(Voting record: Annex I, Item 30)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0306)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0306)

10.31. European Refugee Fund 2005-2010 * (vote)

Report on the proposal for a Council decision establishing the European Refugee Fund for the period 2005-2010 [COM(2004) 102 — C5-0096/2004 — 2004/0032(CNS)] — Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Gérard Deprez (A5-0267/2004)

(Simple majority)

(Voting record: Annex I, Item 31)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0307)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0307)

10.32. Thematic strategy on the prevention and recycling of waste (vote)

Report on the communication from the Commission: Towards a thematic strategy on the prevention and recycling of waste [COM(2003) 301 — C5-0385/2003 — 2003/2145(INI)] — Committee on the Environment, Public Health and Food Safety.

Rapporteur: Karl-Heinz Florenz (A5-0176/2004).

(Simple majority)

(Voting record: Annex I, Item 32)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0308)

Tuesday 20 April 2004

10.33. Respect for and promotion of the values on which the Union is based (vote)

Report on respect for and promotion of the values on which the Union is based [COM(2003) 606 — C5-0594/2003 — 2003/2249(INI)] — Committee on Constitutional Affairs.

Rapporteur: Johannes Voggenhuber (A5-0227/2004)

(Simple majority)

(Voting record: Annex I, Item 33)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0309)

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The items which had not been put to the vote due to lack of time were held over to voting time on Wednesday.

11. 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 de Roo — A5-0154/2004

— Marialiese Flemming, on behalf of the Austrian members of the PPE-DE Group

Report Cocilovo — A5-0220/2004

— Michl Ebner

Report Voggenhuber — A5-0227/2004

— Miquel Mayol i Raynal

Report Wuermeling — A5-0224/2004

— Astrid Thors, Theresa Villiers

12. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Wuermeling — A5-0224/2004

- amendment 48
for: Lone Dybkjær, Karin Riis-Jørgensen
- amendment 173
for: Othmar Karas
- amendment 201
for: Eurig Wyn
- amendment 202
for: Claude Turmes
against: Dagmar Roth-Behrendt

Tuesday 20 April 2004

Report Thors — A5-0171/2004

- amendment 1
for: Othmar Karas

Report Blokland — A5-0265/2004

- amendment 23
for: David Robert Bowie

Report Cocilovo — A5-0220/2004

- amendment 53
for: Christa Prets, Marialiese Flemming
against: Alexander Radwan
- amendment 54
for: Marialiese Flemming
against: Alexander Radwan
- amendment 55
against: Alexander Radwan
- amendment 56
for: Christa Prets
against: Alexander Radwan
abstentions: Hans-Peter Martin
- amendment 48
against: Alexander Radwan
abstentions: Armonia Bordes

Report Markov — A5-0216/2004

- amendment 52 and 58 (identical)
for: Pervenche Berès

Report Florenz — A5-0176/2004

- amendment 11
for: Armonia Bordes
against: Rainer Wieland
- amendment 15
for: Jan Andersson, Göran Färm, Ewa Hedkvist Petersen, Hans Karlsson, Yvonne Sandberg-Fries, Maj Britt Theorin
- amendment 20
against: Linda McAvan, Claude Moraes, Othmar Karas

Members present but not voting:

Gerhard Hager was present, but had not been able to take part in all the votes.

Armonia Bordes and Arlette Laguiller were present, but did not take part in the vote on the Fourtou report (A5-0255/2004) and on Amendments 53, 54, 55 and 56 to the Cocilovo report (A5-0220/2004).

(The sitting, suspended at 14.15, resumed at 15.10.)

13. Address by Mr Barnier

The President, having first indicated that he had just joined the President of Rwanda in commemorating the 10th anniversary of the genocide, welcomed to the House Mr Barnier, former Member of the Commission and currently Foreign Minister in the French Government.

Tuesday 20 April 2004

Addressing the House, Mr Barnier thanked in particular the President of Parliament and all those with whom he had worked during his period of office at the Commission.

Giorgio Napolitano, Chairman of the AFCO Committee, spoke.

IN THE CHAIR: David W. MARTIN

Vice-President

14. 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 resolution:

I. CUBA

Concepció Ferrer, José Ignacio Salafranca Sánchez-Neyra, Bernd Posselt and Lennart Sacrédeus, on behalf of the PPE-DE Group, on the human rights situation in Cuba, one year after the mass detention of dissidents (B5-0192/2004);

Cecilia Malmström and Bob van den Bos, on behalf of the ELDR Group, on the human rights situation in Cuba, one year after the mass detention of dissidents (B5-0201/2004);

Alain Lipietz, Josu Ortuondo Larrea and Monica Frassoni, on behalf of the Verts/ALE Group, on the human rights situation in Cuba, one year after the mass detention of dissidents (B5-0204/2004);

Bastiaan Belder, on behalf of the EDD Group, on the human rights situation in Cuba, one year after the mass detention of dissidents (B5-0207/2004);

Ana Miranda de Lage and Margrietus J. van den Berg, on behalf of the PSE Group, on Cuba (B5-0208/2004);

Luisa Morgantini, Pernille Frahm and Herman Schmid, on behalf of the GUE/NGL Group, on the situation in Cuba (B5-0212/2004);

Luís Queiró and José Ribeiro e Castro, on behalf of the UEN Group, on Cuba (B5-0214/2004).

II. SPORT PRODUCTS FOR THE OLYMPIC GAMES

Stephen Hughes, Marie-Hélène Gillig, Anna Kamanou and Margrietus J. van den Berg, on behalf of the PSE Group, Jean Denise Lambert, Theodorus J.J. Bouwman and Hiltrud Breyer, on behalf of the Verts/ALE Group, Emmanouil Bakopoulos, Sylvia-Yvonne Kaufmann and Dimitrios Koulourianos, on behalf of the GUE/NGL Group, on respect for core labour rights in the production of Olympic sports goods (B5-0191/2004);

Anne Elisabet Jensen, on behalf of the ELDR Group, on respect for core labour rights in the production of Olympic sports goods (B5-0200/2004);

Bartho Pronk, on behalf of the PPE-DE Group, on respect for core labour rights in the production of Olympic sports goods (B5-0202/2004);

Brian Crowley, on behalf of the UEN Group, on respect for labour rights in the production of Olympic sports goods (B5-0210/2004);

Tuesday 20 April 2004

III. NIGERIA

Niall Andrews, on behalf of the UEN Group, on the killings of Christians in Nigeria (B5-0194/2004);

Charles Tannock, John Alexander Corrie, Lennart Sacrédeus and Bernd Posselt, on the killings of Christians in Nigeria (B5-0203/2004);

Didier Rod, Marie Anne Isler Béguin and Nelly Maes, on behalf of the Verts/ALE Group, on the conflict between communities in Nigeria (B5-0205/2004);

Bastiaan Belder, on behalf of the EDD Group, on the killings of Christians in Nigeria (B5-0206/2004);

Margrietus J. van den Berg, on behalf of the PSE Group, over Nigeria (B5-0209/2004);

Bob van den Bos, on behalf of the ELDR Group, on the situation in Nigeria (B5-0211/2004);

Yasmine Boudjenah, on behalf of the GUE/NGL Group, on the conflict between communities in Nigeria (B5-0213/2004);

Speaking time would be allocated in accordance with Rule 120.

15. Approval of Minutes of previous sitting

The Minutes of the previous sitting were approved.

16. Documents received

The following documents had been received:

1) *from committees*

1.1) *reports:*

- Report on the consequences of the sex industry in the European Union — 2003/2107(INI) — Committee on Women's Rights and Equal Opportunities.
Rapporteur: Mrs Eriksson (A5-0274/2004).
- * Report on the proposal for a Council decision on the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development (8108/99 — C5-0659/2001 — 1998/0199(CNS)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.
Rapporteur: Mr Brok (A5-0275/2004).
- * Report on the proposal for a Council directive amending Directive 2003/49/EC as regards the possibility for certain Member States to apply transitional periods for the application of a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States (COM(2004) 243 — C5-0187/2004 — 2004/0076(CNS)) (Simplified procedure — Rule 158(1) of the Rules of Procedure) — Committee on Economic and Monetary Affairs.
Rapporteur: Mrs Randzio-Plath (A5-0276/2004).
- * Report on the proposal for a Council decision on guidelines for the employment policies of the Member States (COM(2004) 239 — C5-0188/2004 — 2004/0082(CNS)) — Committee on Employment and Social Affairs.
Rapporteur: Mrs Hermange (A5-0277/2004).
- ***I Report on the proposal for a regulation of the European Parliament and the Council amending Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms [COM(2003) 639 — C5-0507/2003 — 2003/0250(COD)] — Committee on Development and Cooperation.
Rapporteur: Fernando Fernández Martín (A5-0279/2004).

Tuesday 20 April 2004

- Report on the Commission recommendation on the 2004 update of the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) [COM(2004) 238 – C5-0183/2004 – 2004/2020(INI)] – Committee on Economic and Monetary Affairs.
Rapporteur: Christa Randzio-Plath (A5-0280/2004).

1.2) *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 decision amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European transport network (5762/1/2004 – C5-0184/2004 – 2001/0229(COD)) – Committee on Regional Policy, Transport and Tourism.
Rapporteur: Mr Bradbourn (A5-0278/2004).

2) *from Members*

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

- Carmen Cerdeira Morterero, on access for the disabled in the 2004 European Elections (No 33/2004)

17. Written declarations (Rule 51)

In accordance with Rule 51(5), written declarations Nos 2 et 3/2004 lapsed as they had not obtained the required number of signatures.

18. Policy challenges and budgetary means of the enlarged Union 2007-2013 (debate)

Report on the communication from the Commission to the Council and to the European Parliament on 'Building our common future – policy challenges and budgetary means of the enlarged Union 2007-2013' [COM(2004) 101 – C5-0089/2004 – 2004/2006(INI)] – Committee on Budgets.
Rapporteur: Terence Wynn (A5-0268/2004)

Terence Wynn introduced the report.

Dick Roche (President-in-Office of the Council) spoke.

Michaele Schreyer (Member of the Commission) spoke.

The following spoke: Véronique De Keyser (draftsman of the opinion of the AFET Committee), Jan Mulder (draftsman of the opinion of the CONT Committee), Friedrich-Wilhelm Graefe zu Baringdorf (draftsman of the opinion of the AGRI Committee), Brigitte Langenhagen (draftsman of the opinion of the PECH Committee), Samuli Pohjamo (draftsman of the opinion of the RETT Committee), Ulpu Iivari (draftsman of the opinion of the CULT Committee), Nirj Deva (draftsman of the opinion of the DEVE Committee), James E.M. Elles, on behalf of the PPE-DE Group, Bárbara Dührkop Dührkop, on behalf of the PSE Group, Kyösti Tapio Virrankoski, on behalf of the ELDR Group, Ilda Figueiredo, on behalf of the GUE/NGL Group, and Liam Hyland, on behalf of the UEN Group.

IN THE CHAIR: José PACHECO PEREIRA

Vice-President

The following spoke: Reimer Böge and Jutta D. Haug.

The debate closed.

Vote: Minutes of 22.04.2004, Item 7.17.

Tuesday 20 April 2004

19. Third report on economic and social cohesion (debate)

Report on the Third report on economic and social cohesion [COM(2004) 107 – C5-0092/2004 – 2004/2005(INI) – Committee on Regional Policy, Transport and Tourism.
Rapporteur: Konstantinos Hatzidakis (A5-0272/2004)

Konstantinos Hatzidakis introduced the report.

Franz Fischler (Member of the Commission) spoke.

The following spoke: Myrsini Zorba (draftsman of the opinion of the ITRE Committee), Elspeth Attwooll (draftsman of the opinion of the EMPL Committee), Agnes Schierhuber (draftsman of the opinion of the AGRI Committee), Marie-Hélène Gillig (draftsman of the opinion of the FEMM Committee), José Javier Pomés Ruiz, on behalf of the PPE-DE Group, Juan de Dios Izquierdo Collado, on behalf of the PSE Group, Samuli Pohjamo, on behalf of the ELDR Group, Elisabeth Schroedter, on behalf of the Verts/ALE Group, Margie Sudre, Arlene McCarthy, Camilo Nogueira Román, Rolf Berend, Garrelt Duin, Juan Manuel Ferrández Lezaun, Emmanouil Mastorakis, Ewa Hedkvist Petersen, Catherine Guy-Quint and Franz Fischler.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.18.*

20. Commission's annual policy strategy for 2005 (debate)

Report on the 2005 budget: the Commission's annual policy strategy [2004/2001(BUD)] – Committee on Budgets.
Rapporteur: Salvador Garriga Polledo (A5-0269/2004)

Salvador Garriga Polledo introduced the report.

Michaele Schreyer (Member of the Commission) spoke.

The following spoke: José Ignacio Salafranca Sánchez-Neyra (draftsman of the opinion of the AFET Committee), Paul Rübig (draftsman of the opinion of the ITRE Committee), Bartho Pronk (draftsman of the opinion of the EMPL Committee), María Esther Herranz García (draftsman of the opinion of the AGRI Committee), Brigitte Langenhagen (draftsman of the opinion of the PECH Committee), Catherine Guy-Quint (draftsman of the opinion of the RETT Committee), Lissy Gröner (draftsman of the opinion of the FEMM Committee), Markus Ferber, on behalf of the PPE-DE Group, Ralf Walter, on behalf of the PSE Group, Samuli Pohjamo, on behalf of the ELDR Group, Kathalijne Maria Buitenweg, on behalf of the Verts/ALE Group, and Franz Turchi, on behalf of the UEN Group.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.19.*

21. Parliament's preliminary estimates for 2005 (debate)

Report on the 2005 budget: Parliament's estimates of revenue and expenditure [2004/2007(BUD)] – Committee on Budgets.
Rapporteur: Wilfried Kuckelkorn (A5-0236/2004)

Wilfried Kuckelkorn introduced the report.

Tuesday 20 April 2004

IN THE CHAIR: Ingo FRIEDRICH

Vice-President

Markus Ferber spoke, on behalf of the PPE-DE Group.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.20.*

22. Eurostat – 2002 discharge: Section III of the general budget – 2002 discharge: 6th, 7th and 8th EDF – 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget – 2002 discharge: Section I of the general budget – 2002 discharge: decentralised agencies – 2002 discharge: ECSC (debate)

Commission statement: Eurostat

Report on the discharge to be granted for the implementation of the general budget of the European Union for 2002 (Commission) [SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC)] – Committee on Budgetary Control.

Rapporteur: Juan José Bayona de Perogordo (A5-0200/2004)

Report on the discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the 2002 financial year [COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC)] – Committee on Budgetary Control.

Rapporteur: Jonas Sjöstedt (A5-0183/2004)

Report on the discharge to be granted for the implementation of the 2002 budget:

1. Section II, Council,
2. Section IV, Court of Justice,
3. Section V, Court of Auditors,
4. Section VI, Economic and Social Committee,
5. Section VII, Committee of the Regions,
6. Section VIII, Ombudsman.

[I5-0034/2004 – C5-0088/2004 – 2003/2212(DEC), 2003/2213(DEC), 2003/2214(DEC), 2003/2215(DEC), 2003/2216(DEC), 2003/2217(DEC)] – Committee on Budgetary Control.

Rapporteur: Gabriele Stauner (A5-0228/2004)

Report concerning discharge in respect of the implementation of the general budget of the European Union of the 2002 financial year

Section I – European Parliament [I5-0034/2004 – C5-0088/2004 – 2003/2211(DEC)] – Committee on Budgetary Control.

Rapporteur: Michiel van Hulten (A5-0218/2004)

Report on the discharges for 2002 to the:

1. European Agency for Reconstruction [C5-0632/2003 – 2003/2242(DEC)],
2. European Agency for Safety and Health at Work [C5-0636/2003 – 2003/2246(DEC)],
3. European Environment Agency [C5-0635/2003 – 2003/2245(DEC)],
4. European Agency for the Evaluation of Medicinal Products [C5-0638/2003 – 2003/2255(DEC)],
5. Translation Centre for the Bodies of the European Union [C5-0637/2003 – 2003/2247(DEC)],
6. European Centre for the Development of Vocational Training [C5-0630/2003 – 2003/2240(DEC)],
7. Eurojust [C5-0662/2003 – 2003/2256(DEC)],
8. European Training Foundation [C5-0641/2003 – 2003/2259(DEC)].

Tuesday 20 April 2004

9. European Foundation for the Improvement of Living and Working Conditions [C5-0631/2003 – 2003/2241(DEC)]
 10. European Monitoring Centre for Drugs and Drug Addiction [C5-0634/2003 – 2003/2244(DEC)]
 11. European Monitoring Centre on Racism and Xenophobia [C5-0633/2003 – 2003/2243(DEC)] – Committee on Budgetary Control.
- Rapporteur: Jan Mulder (A5-0212/2004)

Report concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002 [C5-0646/2003 – 2003/2218(DEC)] – Committee on Budgetary Control.

Rapporteur: Heide Rühle (A5-0201/2004)

Franz Fischler (Member of the Commission) made the statement.

Juan José Bayona de Perogordo introduced the report (A5-0200/2004).

Jonas Sjöstedt introduced the report (A5-0183/2004).

Gabriele Stauner introduced the report (A5-0228/2004).

Michiel van Hulten introduced the report (A5-0218/2004).

(As it was time for the Commission communication, the debate was suspended at that point. It would resume at 21.00) (*Item 26*).

23. Agenda

In view of the various changes made to the Agenda, (*Item 14 of Minutes of 19.04.2004 and Item 9 of these Minutes*), the President proposed, in agreement with the political groups, to cancel Wednesday's Question Time with the Council.

Parliament agreed to this proposal.

24. Application for membership from Croatia (Commission communication)

Commission communication: Opinion of the Commission on the application for membership from Croatia

The President welcomed in the gallery a delegation from Croatia led by the Foreign Minister.

Commissioners Christopher Patten and Günther Verheugen made the communication.

The following spoke under the 'catch the eye' procedure: and put questions which Christopher Patten answered: Olivier Dupuis, Sarah Ludford and Alexandros Baltas.

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following also put questions under the same procedure: Joost Lagendijk and Doris Pack, who were answered by Günther Verheugen as well as Miet Smet and Michl Ebner, who were answered by Christopher Patten.

The item was closed.

Tuesday 20 April 2004

25. Question Time (Commission)

Parliament considered a number of questions to the Commission (B5-0071/2004).

First part

Question 25 by Michl Ebner: Liberalisation of the electricity market — concessions for major water transfers for hydroelectric purposes.

Loyola de Palacio (Vice-President of the Commission) answered the question and supplementaries by Michl Ebner and Carlos Lage.

Question 26 by Linda McAvan: Corporate Social Responsibility.

Stavros Dimas (Member of the Commission) answered the question and supplementaries by Linda McAvan and Philip Bushill-Matthews.

Question 27 by Carlos Lage: Closure of the Bombardier company's European plants.

Stavros Dimas answered the question and supplementaries by Carlos Lage, Regina Bastos, Ilda Figueiredo and Malcolm Harbour.

Göran Färm spoke on Commissioner Schreyer's unwillingness to answer a question he had put to the Commission (the President took note of his remarks).

Second part

Question 28 by Ulla Margrethe Sandbæk: Follow-up to pilot projects and transformation in multi-annual programmes.

Michaele Schreyer (Member of the Commission) answered the question and a supplementary by Glenys Kinnock (deputising for the author).

Question 29 by Othmar Karas: Study on the consequences of Basel II for small and medium-sized enterprises.

Frits Bolkestein (Member of the Commission) answered the question and supplementaries by Othmar Karas, Paul Rübig and Enric Morera Català.

Question 30 by Bill Newton Dunn: Theft of personal data.

Frits Bolkestein answered the question and supplementaries by Bill Newton Dunn and Reino Paasilinna.

Question 31 by Malcolm Harbour: Gambelli Ruling.

Frits Bolkestein answered the question and a supplementary by Malcolm Harbour.

Question 32 by Reino Paasilinna: Media concentration.

Frits Bolkestein answered the question and a supplementary by Reino Paasilinna.

Question 33 by Miguel Angel Martínez Martínez: Clarification of the Commission's replies concerning Cuba.

Poul Nielson (Member of the Commission) answered the question and supplementaries by Miguel Angel Martínez Martínez, Efstratios Korakas and Nikolaos Chountis.

Question 34 by Patricia McKenna: IMF programmes and the EC's overall objective of poverty eradication.

Poul Nielson answered the question and a supplementary by Patricia McKenna.

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

Commission Question Time closed.

(The sitting, suspended at 20.10, resumed at 21.00.)

Tuesday 20 April 2004

IN THE CHAIR: Gerhard SCHMID

Vice-President

26. Eurostat — 2002 discharge: Section III of the general budget — 2002 discharge: 6th, 7th and 8th EDF — 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget — 2002 discharge: Section I of the general budget — 2002 discharge: decentralised agencies — 2002 discharge: ECSC (continuation of debate)

Jan Mulder introduced the report (A5-0212/2004).

Bart Staes (deputising for the rapporteur) introduced the report.

Michaele Schreyer (Member of the Commission).

The following spoke: Bartho Pronk (draftsman of the opinion of the EMPL Committee), Miet Smet (draftsman of the opinion of the FEMM Committee), Ursula Stenzel (draftsman of the opinion of the AFET Committee), Ozan Ceyhun (draftsman of the opinion of the LIBE Committee), Martin Callanan (draftsman of the opinion of the ENVI Committee), Diemut R. Theato, on behalf of the PPE-DE Group, Helmut Kuhne, on behalf of the PSE Group, Ole B. Sørensen, on behalf of the ELDR Group, Bart Staes, on behalf of the Verts/ALE Group, Mogens N.J. Camre, on behalf of the UEN Group, Graham H. Booth, on behalf of the EDD Group, Gianfranco Dell'Alba, Non-attached Member, María Antonia Avilés Perea, Herbert Bösch, Rijk van Dam, Christopher Heaton-Harris, Paulo Casaca, Jens-Peter Bonde and Michaele Schreyer.

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

- Jens-Peter Bonde, on behalf of the EDD Group, on Eurostat (B5-0218/2004);
- Heide Rühle and Bart Staes, on behalf of the Verts/ALE Group, on Eurostat (B5-0219/2004);
- Jan Mulder and Ole B. Sørensen, on behalf of the ELDR Group, on Eurostat (B5-0220/2004);
- Freddy Blak, Jonas Sjöstedt and Luigi Vinci, on behalf of the GUE/NGL Group, on the follow-up to the Eurostat affair (B5-0222/2004);
- Enrique Barón Crespo and Helmut Kuhne, on behalf of the PSE Group, on Commission action on Eurostat (B5-0223/2004);
- James E.M. Elles, on behalf of the PPE-DE Group, on Eurostat (B5-0225/2004).

The debate closed.

Vote: Discharge: Item 10.20, Item 10.21, Item 10.22, Item 10.23, Item 10.12 and Minutes of 21.04.2004, Item 10.13 — Eurostat: Minutes of 22.04.2004, Item 7.22

27. EC-USA agreement on PNR * (debate)

Report on the proposal for a Council decision on the conclusion of an Agreement between the European Community and the United States of America on the processing and transfer of PNR data by Air Carriers to the United States Department of Homeland Security, Bureau of Customs and Border Protection [COM(2004) 190 — C5-0162/2004 — 2004/0064(CNS)] — Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Johanna L.A. Boogerd-Quaak (A5-0271/2004)

Christopher Patten (Member of the Commission) spoke.

Johanna L.A. Boogerd-Quaak introduced the report.

Tuesday 20 April 2004

The following spoke: Jorge Salvador Hernández Mollar, on behalf of the PPE-DE Group, Elena Ornella Paciotti, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Kathalijne Maria Buitenweg, on behalf of the Verts/ALE Group, Marco Cappato, Non-attached Member, Hubert Pirker, Anna Terrón i Cusí, Christopher Patten, who made a personal statement in response to remarks by Graham R. Watson, and Graham R. Watson, who withdrew his remarks.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.17.*

28. Freedom of expression and information (debate)

Report on a possible breach of expression and information rights in the EU and Italy, Article 11(2), Charter of Fundamental Rights [2003/2237(INI)] — Committee on Civil Liberties, Justice and Home Affairs.
Rapporteur: Johanna L.A. Boogerd-Quaak (A5-0230/2004)

The President stated that the UEN Group had tabled a motion of inadmissibility in respect of this debate.

José Ribeiro e Castro, on behalf of the UEN Group, gave reasons for the request (the President, referring to Rule 143(1), stated that the motion was inadmissible, since the time-limit prescribed by the Rules had not been complied with).

Johanna L.A. Boogerd-Quaak introduced the report.

Antonio Tajani refuted a communication issued by the press service, according to which freedom of opinion and information in Italy was to be one of the main topics of the present part-session.

Christopher Patten (Member of the Commission) spoke.

The following spoke: Giuseppe Gargani (draftsman of the opinion of the JURI Committee), Roy Perry (draftsman of the opinion of the CULT Committee), Monica Frassoni (draftsman of the opinion of the AFCO Committee), Giacomo Santini, on behalf of the PPE-DE Group, Elena Ornella Paciotti, on behalf of the PSE Group, Giorgio Calò, on behalf of the ELDR Group, Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group, Monica Frassoni, on behalf of the Verts/ALE Group, Roberta Angelilli, on behalf of the UEN Group, the President and Pasqualina Napoletano, the latter two on the remarks by Roberta Angelilli, Koenraad Dillen, Non-attached Member, Anna Terrón i Cusí, Lucio Manisco, Enric Morera Català, Mariotto Segni, Mario Borghezio and Francesco Fiori.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.23.*

29. Stamping of travel documents * (debate)

Report on the proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the common manual to this end [COM(2003) 664 — C5-0580/2003 — 2003/0258(CNS)] — Committee on Civil Liberties, Justice and Home Affairs.
Rapporteur: Roberta Angelilli (A5-0229/2004)

Christopher Patten (Member of the Commission) spoke.

Roberta Angelilli introduced the report.

Tuesday 20 April 2004

Marcelino Oreja Arburúa, on behalf of the PPE-DE Group.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.18.*

30. European Monitoring Centre for Drugs and Drug Addiction * (debate)

Report on the proposal for a Council regulation on the European Monitoring Centre for Drugs and Drug Addiction (recast) [COM(2003) 808 – C5-0060/2004 – 2003/0311(CNS)] – Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Ozan Ceyhun (A5-0248/2004)

Christopher Patten (Member of the Commission) spoke.

Ozan Ceyhun introduced the report.

The following spoke: Minerva Melpomeni Malliori (draftsman of the opinion of the ENVI Committee) and Arie M. Oostlander, on behalf of the PPE-DE Group.

The debate closed.

Vote: *Minutes of 21.04.2004, Item 10.19.*

31. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 344.162/OJME.

32. Closure of sitting

The sitting closed at 00.15.

Julian Priestley
Secretary-General

James L.C. Provan
Vice-President

Tuesday 20 April 2004

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Aguiriano Nalda, Nuala Ahern, Ainardi, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berès, van den Berg, Bergaz Conesa, Berger, Bernié, Berthu, Bertinotti, Beysen, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Bonino, Boogerd-Quaak, Booth, Bordes, Borghezio, van den Bos, Boselli, Boumediene-Thiery, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brie, Brienza, Brok, Brunetta, Buitenweg, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carraro, Casaca, Cashman, Caudron, Caullery, Cederschiöld, Cercas, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Chountis, Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Corbett, Corbey, Cornillet, Corrie, Paolo Costa, Raffaele Costa, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, 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, Doorn, Dover, Doyle, Duff, Duhamel, Duin, Dupuis, Duthu, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jonathan Evans, Robert J.E. Evans, Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Fleisch, Florenz, Ford, Foster, Fournou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garot, Garriga Polledo, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, 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, Hyland, Iivari, Ilgenfritz, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jean-Pierre, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Kaldi, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kuckelkorn, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lechner, Lehne, Leinen, Liese, Linkohr, Lisi, Lucas, Ludford, Lulling, Lund, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Maes, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marinos, Markov, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martínez Martínez, Mastella, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Mendiluce Pereiro, Menéndez del Valle, Mennea, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morera Català, Morgan, Morgantini, Morillon, Müller, Mulder, Murphy, Muscardini, Musotto, Mussa, Musumeci, Myller, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, O'Toole, Paasilinna, Pacheco Pereira, Paciotti, Pack, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Pirker, Piscarreta, Pittella, Plooi-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro, Ribeiro e Castro, Riis-Jørgensen, Rocard, Rod, de Roo, Roth-Behrendt, Rothe, Roure, Rousseaux, Rovsing, Rübig, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Scallan, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Soares, Sörensen, Sommer, Soriano Gil, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Suominen, Swiebel, 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, Twinn, Uca, Väyrynen, Vairinhos, Valenciano Martínez-Orozco, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Veltroni, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Virrankoski, Vlasto, Voggenhuber, Volcic,

Tuesday 20 April 2004

Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, Wuermeling, Wuori, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen

Observers

A. Nagy, Azzopardi, Bagó, Bastys, Bauer, Berg, Bielan, Bonnici, Christoforou, Chronowski, Zbigniew Chrzanowski, Cybulski, de Marco, Demetriou, Drzela, Ékes, Gałazewski, Germič, Golde, Genowefa Grabowska, Gruber, Heriban, Ilves, Jerzy Jaskiernia, Kamiński, Kāposts, Kelemen, Kiršteins, Kļaviņš, Kłopotek, Klukowski, Kóséné Kovács, Kriščiūnas, Daniel Kroupa, Kubica, Kubovič, Kuzmickas, Kvietkauskas, Laar, Landsbergis, Liberadzki, Libicki, Lisak, Lydeka, Macierewicz, Maldeikis, Mallotová, Matsakis, Őry, Palečková, Pęczak, Alojz Peterle, Pieniążek, Plokšto, Podgórski, Pospíšil, Protasiewicz, Pusz, Rutkowski, Savi, Siekierski, Ślesere, Smorawiński, Surján, Szabó, Tomczak, Vaculík, Vadai, Valys, George Varnava, Vastagh, Vella, Vèsaitè, Wittbrodt, Żenkiewicz, Żiak

Tuesday 20 April 2004

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. Wider Europe – New Neighbourhood policy *

Report: BÖGE (A5-0198/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
vote: legislative resolution		+	

2. Tax reductions on energy products in Cyprus

Report: RANDZIO-PLATH (A5-0264/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

Tuesday 20 April 2004

3. Electronic road toll systems ***II

Report: SOMMER (A5-0246/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
approval without vote		+	

4. Community Customs Code ***I

Report: FOURTOU (A5-0255/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote	RCV	+	454, 7, 51

Requests for roll-call votes

PPE-DE: final vote

5. European Organisation for the Safety of Air Navigation ***

Report: DE VEYRAC (A5-0215/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

6. Local border traffic at the external land borders *

Report: CERDEIRA MORTERERO (A5-0142/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

7. Local border traffic at the temporary external land borders *

Report: STOCKTON (A5-0141/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

Tuesday 20 April 2004

8. Information and co-ordination of migration management services **Report: KLAMT (A5-0145/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

9. Place of supply of services **Report: KARAS (A5-0233/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

10. European Space Agency **Report: BODRATO (A5-0222/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

11. Proposal for a Council Decision establishing the Visa Information System (VIS) **Report: COELHO (A5-0262/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
Commission proposal		-	

Since the Commission proposal was rejected and the Commission did not intend to withdraw it, the matter was referred back to the committee responsible (Rule 68(3))

12. Obligation of carriers to communicate passenger data **2nd report: HERNÁNDEZ-MOLLAR (A5-0266/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
text of the initiative	EV	-	225, 287, 11

The text of the initiative having been rejected, the matter was referred back to the committee responsible (Rule 68(3))

Tuesday 20 April 2004

13. Irish and UK initiatives on a European Police College **Report: ROURE (A5-0140/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

14. Appointment of a member of the ECB Executive Board*Report: RANDZIO-PLATH (A5-0273/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote	SEC	+	363, 113, 52

Vote by secret ballot [Rule 136(1)]

15. Impact of Community regulations*Report: DOORN (A5-0221/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote	RCV	+	501, 1, 23

Requests for roll-call votes

PPE-DE: final vote

16. Equal opportunities for the disabled*Report: MANTONVANI (A5-0263/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

17. Coordination of social security systems *II***Recommendation for second reading: LAMBERT (A5-0234/2004)*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-2	committee		+	

Tuesday 20 April 2004

18. Minimum safety requirements for tunnels in the Trans-European Road Network ***II

Recommendation for second reading: RACK (A5-0249/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
approval without vote		+	

19. Quality of ambient air ***I

Report: KRONBERGER (A5-0047/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
text as a whole	block 1	3 groups + Kronberger		+	
	block 2	committee		↓	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendment 61 had been withdrawn

Block 1 = 74 amendments of 3 political groups and Mr Kronberger (amendments 62 to 135)

Block 2 = 60 amendments of the ENVI committee (amendments 1 to 60)

20. Co-operation on consumer protection ***I

Report: GEBHARDT (A5-0191/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
text as a whole	block 1	PSE		+	
	block 2	committee		↓	
	block 3	committee		-	
after art 21	59	PPE-DE		-	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendments 49 and 54 had been cancelled.

Block 1 = 35 amendments from the PSE group (amendments 60 to 94)

Block 2 = 47 amendments of the JURI committee (amendments 2, 4 to 7, 9 to 25, 29 to 39, 41 to 43, 45, 46, 48, 50 to 53 and 55 to 58)

Block 3 = 9 amendments of the JURI committee (amendments 1, 3, 8, 26 to 28, 40 and 44)

Tuesday 20 April 2004

21. Consumer credit *I**

2nd report: WUERMEILING (A5-0224/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-9	committee		+	
	11-18				
	21				
	24-25				
	27-31				
	34				
	43				
	45-46				
	49-51				
	53				
	56-57				
	61				
	76				
	78				
	82-89				
	93				
	94				
	109-117				
	121				
	124				
	126				
	129-131				
	137				
	138				
	140				
	142				
	144				
	146-147				
amendments by committee responsible – block votes	10, 19-20	committee	sep/EV	+	276, 233 6
	23, 26, 33, 37, 38, 39, 42, 44, 47, 54, 55, 59, 60, 62, 67, 69, 70, 71, 72, 74, 75, 77, 79		sep/EV	+	275, 239, 2
	102, 104, 105, 106,107, 120		sep/EV	+	285, 227, 2
	132, 133, 134, 135, 139, 141, 143, 145, 148, 149, 150, 151, 152			+	
	22		sep	-	
	80		sep	-	
	122		sep	-	
	123		sep	+	
	125		sep	+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
	127		sep	-	
	128		sep	-	
art 1	167	PPE-DE		-	
	32	committee		-	
	204	PSE		+	
art 2, point (a)	154	Verts/ALE		-	
art 2, point (d)	155	VERTS/ALE		-	
	36	committee	EV	-	221, 291, 1
	166	PPE-DE		-	
	182	PSE		+	
art 2, point (g)	40	committee	split		
			1	+	
			2	-	
			3	+	
	177	ELDR		↓	
art 2, point (h)	183	PSE	EV	+	275, 240, 3
	41	committee		↓	
art 2, after point (p)	156	Verts/ALE		-	
	176	ELDR		+	
	168	PPE-DE		↓	
	35	committee		↓	
art 3, § 2, introductory part	48 = 178 cp =	committee ELDR	RCV	+	273, 242, 11
art 3, § 2, point (a)	178 cp =	ELDR	RCV	+	317, 203, 11
	169	PPE-DE		↓	
	58	committee		↓	
art 5, § 3, point (c)	52	committee		-	
	184	PSE		+	
art 3, § 2, point (e)	185	PSE		+	
art 4	63	committee		-	
	157	Verts/ALE		-	
	186	PSE		-	
	187	PSE		+	
art 5	64	committee		+	
	206	PSE	RCV	↓	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 6	65	committee	split		
			1	+	
			2	-	
			3	-	
	158 cp	Verts/ALE		-	
	188	PSE		+	
	159	Verts/ALE		-	
after art 6	179	ELDR		+	
	66	committee		↓	
art 7	68	committee		+	
	190	PSE		↓	
	189	PSE		↓	
art 8, § 2	180	ELDR		+	
	73	committee		↓	
art 10, § 1, point 2	81	committee		+	
	191	PSE		↓	
art 11, § 1	164	PPE-DE		-	
	90	committee		-	
art 11, after § 2	170	PPE-DE		-	
art 11, § 3	171	PPE-DE		-	
	192	PSE		+	
art 11, after § 3	193	PSE		+	
art 11, § 4	172	PPE-DE		-	
art 12	91	committee		-	
	194	PSE		+	
	195	PSE		+	
	196	PSE		+	
	197	PSE		+	
	198	PSE		+	
art 13	199	PSE		+	
	153	committee		↓	
art 14, § 3	92	committee	EV	+	403, 86, 12
	160	Verts/ALE		-	
art 15	95	committee		+	
	200	PSE		↓	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 16, § 1	173	PPE-DE	RCV	-	241, 272, 11
	96	<i>committee</i>		-	
	201	PSE	RCV	+	276, 235, 18
art 16, § 2	202	PSE	RCV	-	205, 312, 8
	101	<i>committee</i>	sep	-	
	97	<i>committee</i>	sep	-	
	98	<i>committee</i>	sep	-	
	99	<i>committee</i>	sep	-	
	100	<i>committee</i>	sep	-	
art 19, after § 2	165	PPE-DE		+	
	205	PSE		↓	
	174	PPE-DE		-	
	108	<i>committee</i>		+	
art 22	175	PPE-DE		+	
	118	<i>committee</i>		↓	
	119	<i>committee</i>		↓	
art 24, § 1, after point (a)	161	Verts/ALE		+	
art 28	136	<i>committee</i>		+	
	163	Verts/ALE		↓	
	162	Verts/ALE		+	
after art 28	203	PSE		-	
legal basis	181	PSE		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendment 103 did not concern all language versions and was therefore not put to the vote [Rule140(1)(d)].

Requests for roll-call votes

PPE-DE: ams 177, 178, 173, 201, 202

Requests for split votes

PPE-DE

am 40

1st part: introductory part

2nd part: indent 1

3rd part: indent 2

PSE, ELDR

am 65

1st part: text as a whole except paragraphs 3 and 4a

2nd part: paragraph 3

3rd part: paragraph 4a

Tuesday 20 April 2004

Requests for separate vote

PPE-DE: ams 37, 38, 39, 102

PSE: ams 10, 19, 20, 22, 23, 26, 33, 37, 42, 44, 47, 54, 55, 59, 60, 62, 67, 69, 70, 71, 72, 74, 75, 77, 79, 80, 104, 105, 106, 107, 120, 122, 123, 125, 127, 128, 132, 133, 134, 135, 139, 141, 143, 145, 148, 149, 150, 151, 152, 101

ELDR: ams 90, 96, 97, 98, 99, 100, 101

22. Unfair business-to-consumer commercial practices *I**

Report: GHILARDOTTI (A5-0188/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-9	committee		+	
	13-15				
	19-20				
	22-29				
	32-34				
	36-37				
	39-40				
	43-55				
	60				
	62-70				
amendments by committee responsible – separate votes	10	committee	sep	+	
	11	committee	sep	-	
	16	committee	sep	-	
	35	committee	sep	-	
	38	committee	sep	-	
	41	committee	sep	-	
	42	committee	sep	-	
	56	committee	sep	-	
	57	committee	sep/EV	+	265, 236, 2
	58	committee	sep	-	
	61	committee	sep	+	
	71	committee	sep	+	
	89	committee	sep/EV	+	271, 232, 1
	93	committee	sep	-	
	94	committee	sep	+	
art 2, point (b)	12	committee		-	
	107	PSE		+	
art 2, point (g)	17 + 18	committee		+	
	104	PPE-DE		+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 2, point (j)	21	committee		+	
	108	PSE		+	
art 4, § 1	95	EDD		-	
art 4, after § 2	109	PSE		+	
art 5, § 2, indent 2	30 + 31	committee		-	
	110	PPE-DE		+	
art 9, point (c)	111	PSE		+	
	59	committee		+	
art 10	103	PPE-DE		+	
art 11	102	PPE-DE		-	
	101	PPE-DE		-	
annex 1, 'misleading commercial practices', point 3	99	PPE-DE		+	
	100	PPE-DE		-	
annex 1, 'misleading commercial practices', point 4	98	PPE-DE		-	
annex 1, 'misleading commercial practices', point 7	97	PPE-DE		+	
annex 1, 'aggressive commercial practices', point 4	96	PPE-DE		-	
	88	committee		+	
legal basis	112	PSE		+	
recital 5	105	PPE-DE		+	
after recital 13	106	PSE		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendments 2/3, 4/5, 9/10, 17/18, 30/31, 43 to 45 inclusive, 46/47, 64/65, 91/92 of the JURI committee were merged.

Requests for separate vote

PPE-DE: ams 21, 61, 10, 71, 93, 94

PSE: ams 11, 16, 35, 38, 41, 42, 56, 57, 58, 89

Tuesday 20 April 2004

23. Residue levels of pesticides in plant and animal products *I**

Report: STURDY (A5-0260/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-5	committee		+	
	7				
	11-20				
	22-25				
	29-30				
	32				
	34				
	37				
	39-40				
	42-48				
	50-54				
	56-61				
	63				
	65-66				
amendments by committee responsible — separate votes	8	committee	sep	-	
	10	committee	sep/EV	-	239, 272, 1
	21	committee	sep	+	
	26	committee	sep	+	
	27	committee	sep/EV	+	279, 230, 0
	31	committee	sep	+	
	33	committee	sep	+	
	35	committee	sep/EV	-	237, 265, 6
	36	committee	sep	+	
	38	committee	sep	+	
	41	committee	sep	-	
	55	committee	sep	-	
	62	committee	sep	+	
	64	committee	split		
			1	+	
			2	-	
			3	-	
art 3, § 5	71	Verts/ALE		-	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 6, § 1, point 2	75	PPE-DE		-	
art 21	77	PPE-DE		-	
after art 23	76	PPE-DE		-	
art 24	78	PPE-DE		-	
art 26	73	Verts/ALE		-	
	49	committee		+	
art 29	72	Verts/ALE		-	
art 41	68	PSE		-	
recital 12	74	PPE-DE		-	
recital 13	6	committee		+	
	69	PSE		↓	
after recital 19	67	PSE		-	
recital 20	9 S = 70 D =	committee Verts/ALE		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendment 28 did not concern all language versions and was therefore not put to the vote [Rule140(1)(d)].

Requests for separate vote

PPE-DE: ams 21, 26, 27, 33, 35, 36, 41
 ELDR: ams 10, 35, 41, 55, 62, 64
 PSE: ams 8, 31, 38, 55

Requests for split votes

PSE

am 64

1st part: text as a whole except the words 'should be negotiated with industry and' and 'There should be an opportunity ... the Member State'

2nd part: the words 'should be negotiated with industry and'

3rd part: the words 'There should be an opportunity ... the Member State'

Tuesday 20 April 2004

24. Security of natural gas supply *I**

Report: MOMBAUR (A5-0213/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 2		original text	sep	+	
§ 3		original text	sep	+	
vote: legislative resolution (as a whole)				+	

Requests for separate vote

Verts/ALE: §§ 2, 3 (legislative resolution)

25. Access to gas transmission networks *I**

Report: SEPPÄNEN (A5-0254/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-5 7-27 29-42	committee		+	
art 1, § 1	43	PPE-DE		+	
	6	committee		↓	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendment 28 did not concern all language versions and was therefore not put to the vote [Rule140(1)(d)].

26. Eco-design requirements for Energy-Using Products *I**

Report: THORS (A5-0171/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	3-9 11 13-14 16-17 19-27 29-50 52-56 58-60 62-63 65 67-73	committee		+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – separate votes	1	committee	RCV	+	437, 73, 11
	2	committee	sep	+	
	10	committee	split		
			1	+	
			2	+	
	12	committee	split		
			1	+	
			2	-	
	15	committee	sep	+	
	51	committee	sep	+	
	57	committee	split		
			1	+	
			2	-	
	64	committee	split		
			1	+	
			2	+	
	66	committee	split		
			1	+	
			2	+	
art 7, § 2, point 2	75	Verts/ALE		+	
art 11, after § 1	76	Verts/ALE		+	
after art 13	77	Verts/ALE		-	
	61	committee		+	
annex 1, after part 2	78	Verts/ALE	RCV	-	232, 273, 20
annex 5	74	PPE-DE		+	
after recital 4	79	PPE-DE		+	
after recital 6	18 = 80 =	committee PPE-DE		+	
recital 20	81	PPE-DE		+	
	28	committee		↓	
vote: amended proposal				+	
vote: legislative resolution				+	

Requests for roll-call votes

PSE: am 1

Verts/ALE: am 78

Requests for separate vote

PPE-DE: ams 1, 15, 28

ELDR: ams 1, 2, 51

Tuesday 20 April 2004

Requests for split votes

PPE-DE

am 10

1st part: text as a whole except the words 'the Community Chemicals Policy'

2nd part: those words

am 12

1st part: text as a whole except the words 'living in urban areas'

2nd part: those words

am 57

1st part: text as a whole except the words 'living in urban areas'

2nd part: those words

ELDR

am 64

1st part: text as a whole except the words 'In accordance with ... the control authorities'

2nd part: those words

Verts/ALE

am 66

1st part: text as a whole except the deletion of § 2 of the original text

2nd part: the deletion of § 2

27. Greenhouse gas emission allowance trading ***I

Report: DE ROO (A5-0154/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
text as a whole	block 1	committee + 7 political groups		+	
	block 2	committee		↓	
vote: amended proposal				+	
vote: legislative resolution				+	

The EDD group did not sign amendments 25 and 38. Mr Blokland signed those two amendments in his own name.

Block 1 (compromise text) = 3 amendments of the ENVI committee (amendments 11, 12 and 18) and 28 amendments of 7 political groups (amendments 19 to 46)

Block 2 = 15 amendments of the ENVI committee (amendments 1 to 10, and 13 to 17)

Tuesday 20 April 2004

28. Batteries and accumulators *I**

Report: BLOKLAND (A5-0265/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	4	committee		+	
	6				
	10				
	14				
	16				
	18				
	20				
	24				
	29				
	37				
	39				
	43				
	46-47				
	50				
	52-53				
	63				
	65				
	67-68				
	71				
	73-75				
amendments by committee responsible – separate votes	2	committee	sep	+	
	5	committee	sep	+	
	7	committee	sep	+	
	8	committee	sep	+	
	9	committee	split		
			1	+	
			2	+	
	11	committee	sep	+	
	12	committee	sep	+	
	19	committee	sep	+	
	21	committee	sep	+	
	25	committee	sep	+	
	26	committee	sep	+	
	27	committee	sep	+	
	45	committee	sep	+	
	51	committee	sep	+	
	54	committee	sep	+	
	55	committee	sep	+	
	57	committee	sep	+	
	58	committee	sep	+	
	59	committee	sep	+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
	60	committee	sep	+	
	61	committee	sep	+	
	62	committee	sep	+	
	64	committee	sep	+	
	69	committee	sep	+	
	77	committee	sep	+	
	79	committee	sep	+	
	80	committee	sep	+	
	81	committee	sep	+	
art 3, point 4	84/rev	EDD		-	
	15	committee	EV	-	246, 267, 5
art 3, point 6	85	EDD		+	
	17	committee		↓	
art 3, point 14	105	Verts/ALE		-	
	22	committee		+	
art 4	23	committee	RCV	+	290, 224, 11
	83	PSE		↓	
	82	committee	split		
			1/RCV	+	295, 209, 14
			2/RCV	-	198, 309, 11
art 5, after § 1	106	Verts/ALE		-	
	92	PPE-DE		+	
art 9, § 1, point (a)	107	Verts/ALE		-	
	28	committee		+	
art 9, § 1, point (b)	108	Verts/ALE		+	
	30	committee		+	
art 9, § 1, point (c)	109	Verts/ALE		+	
	31	committee		↓	
art 9, after § 2	110	Verts/ALE	EV	-	97, 421, 1
	32	committee		+	
art 10	118 D	EDD	RCV	-	23, 499, 8

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 11	33	committee	split		
			1/EV	-	243, 258, 3
			2	-	
			3	+	
	93	PPE-DE		↓	
art 13	111/rev	Verts/ALE		-	
	34	committee	split		
			1	+	
			2	+	
art 14, § 1	86 D	EDD		-	
	35	committee		+	
art 14, § 2	87 D	EDD		-	
	36	committee		+	
art 15, § 1	94	PPE-DE		-	
	38	committee	split		
			1	+	
			2	+	
	120	EDD	EV	+	267, 240, 3
	95	PPE-DE		+	
art 15, § 3	121	EDD		-	
art 16, § 1	88	EDD		-	
	40	committee		+	
	41	com	split		
			1	+	
			2	+	
art 18	99	PPE-DE		+	
	42	committee		↓	
art 19	100	PPE-DE		+	
art 20	122	EDD		-	
	44	committee		+	
art 20, after § 2	112	Verts/ALE		+	
art 22	123	EDD		-	
	48	committee	split		
			1	+	
			2	+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
art 23, § 1	124	EDD		-	
	49	committee		+	
art 23, § 2	97	PPE-DE		-	
art 25, § 1, point (e)	96	PPE-DE		-	
art 25, § 2	113	Verts/ALE		-	
	56	committee		+	
art 29, § 1, point (b)	66	committee		+	
	98	PPE-DE		↓	
art 33	114	Verts/ALE		-	
annex 1, table 2, after line 3	115	Verts/ALE		-	
annex 1, table 2, line 5	116	Verts/ALE		-	
	72	committee		+	
annex 1, table 2, line 8	117	Verts/ALE		-	
	76	committee		+	
	78			+	
annex 2, § 2	125	PPE-DE		↓	
after annex 2	101	PPE-DE		+	
recital 7	1	committee		+	
	89	PPE-DE		↓	
recital 10	102	Verts/ALE		-	
recital 11	103	Verts/ALE		+	
	3	committee		↓	
recital 14	104	Verts/ALE		-	
recital 21	90	PPE-DE		-	
recital 24	91 D	PPE-DE		-	
vote: amended proposal				+	
vote: legislative resolution			EV	+	283, 224,15

Amendment 70 had been cancelled.

Amendment 119 had been withdrawn.

Amendment 13 did not concern all language versions and was therefore not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

PPE-DE: ams 23, 82

EDD: am 118 D

Tuesday 20 April 2004

Requests for separate vote

PPE-DE: ams 2, 5, 7, 8, 21, 25, 26, 27, 45, 51, 54, 55, 57, 58, 59, 60, 61, 62, 69, 77, 79, 80, 81

Verts/ALE: ams 11, 12, 41, 64

EDD: ams 9, 19

Requests for split votes

PPE-DE

am 34*1st part:* up to 'the year in question'*2nd part:* remainder (paragraph 2a)

PSE, EDD

am 33*1st part:* text as a whole except the words 'whole or untreated'*2nd part:* those words*3rd part:* paragraph 2

Verts/ALE

am 9*1st part:* text as a whole except the words 'in so far ... removal requirements'*2nd part:* those words**am 38***1st part:* text as a whole except the words 'that comply ... safety and waste management'*2nd part:* those words**am 48***1st part:* text as a whole except the fifth paragraph*2nd part:* that paragraph**am 82***1st part:* text as a whole except indent 8*2nd part:* indent 8**am 41***1st part:* the number '11'*2nd part:* the words 'treatment and/or'**29. Charging HGV's for infrastructure ***I**

Report: COCILOVO (A5-0220/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
<i>amendments by committee responsible – block vote</i>	1-9 11-12 14 18 20 22 24 26-27 32-34 38-39 42-43	<i>committee</i>		+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – separate votes	16	committee	split		
			1	+	
			2	+	
	17	committee	split		
			1	+	
			2	+	
	25	committee	split		
			1	+	
			2	+	
	35	committee	sep/EV	-	236, 278, 2
art 2, point a(a)	53	Verts/ALE	RCV	-	103, 414, 6
	21	committee		+	
art 7, § 9, point 1	54	Verts/ALE	RCV	-	242, 267, 6
	28 cp	committee	split		
			1	+	
art 7, § 9, point 2	28 cp	committee		+	
				+	
art 7, § 10, introductory phrase	55	Verts/ALE	RCV	-	215, 298, 5
	29 cp	committee		+	
art 7, § 10 points (a) to (c)	29 cp	committee	split		
			1	+	
			2	+	
art 7, after § 10	50	PSE		+	
art 7, § 11	56	Verts/ALE	RCV	-	101, 418, 1
	30	committee	split		
			1	+	
art 9, § 2	48	PSE	RCV	+	308, 208, 10
	40	committee		↓	
	49	PSE	RCV	↓	
after art 9	51	PSE		-	
	41	committee		+	
recital 5	10	committee		+	
	44	PSE		↓	
recital 8	13	committee		+	
	45	PSE		-	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
recital 9	15 D	committee		-	
	46	PSE		+	
after recital 9	47	PSE	EV	-	234, 260, 3
after recital 15	52	PSE	EV	+	285, 219, 7
	19	committee		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendments 1 and 7 were merged.

Amendments 23 and 31 did not concern all language versions and were not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

PSE: ams 44, 48, 49

Verts/ALE: ams 53, 54, 55, 56

Requests for split votes

PPE-DE

am 16

1st part: text as a whole except the words ‘and to the zones and agglomerations referred to in article 8(1) of Directive 96/62/EC of the European Parliament and of the Council of 19 December 1999 concerning common rules for the internal market in electricity’

2nd part: those words

am 17

1st part: text as a whole except the word ‘full’

2nd part: that word

am 25

1st part: up to ‘of their services’

2nd part: remainder

am 28

1st part: text as a whole except indent 4

2nd part: indent 4

am 29 cp (art 7, § 10, points (a) to (c))

1st part: text as a whole except points (ab), (b) and (ca)

2nd part: those points

am 30

1st part: text as a whole except the words ‘and to the zones and agglomerations referred to in article 8(1) of Directive 96/62/EC of the European Parliament and of the Council of 19 December 1999 concerning common rules for the internal market in electricity’

2nd part: those words

Requests for separate vote

PSE: am 35

ELDR am 25

Verts/ALE: ams 35, 36, 37

Mr Savary indicated that the French version of amendment 48 needed to be corrected.

Tuesday 20 April 2004

30. Social legislation relating to road transport *I**

Report: MARKOV (A5-0216/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1	committee		+	
	5				
	7				
	11				
	13-16				
	20				
	22-25				
	27-29				
	31-35				
	37				
	39-40				
amendments by committee responsible — separate votes	3	committee	sep	+	
	6	committee	sep	+	
	12	committee	sep	+	
	18	committee	sep	+	
	19	committee	split		
			1	+	
			2	+	
	21	committee	sep	+	
	26	committee	sep	+	
	30	committee	sep	+	
	36	committee	sep	+	
	41	committee	sep	+	
	42	committee	sep	+	
	43	committee	sep/EV	-	203, 292, 7
	45	committee	sep/EV	-	218, 290, 2
	46	committee	sep	-	
	47	committee	sep	-	
	48	committee	sep	-	
	49	committee	sep	-	
art 2, after § 1	63	EDD	EV	+	264, 244, 4
art 2, § 2, point 1	51= 57=	Verts/ALE GUE/NGL		-	
	17	committee	EV	-	207, 258, 2
art 9, § 4, introductory phrase	64	EDD		-	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 9, § 4, point (a)	52 = 58 =	Verts/ALE GUE/NGL	RCV	-	119, 392, 10
art 9, § 4, point (b)	53 = 59 =	Verts/ALE GUE/NGL	RCV	-	114, 309, 11
art 9, § 4, point (c)	54 = 60 =	Verts/ALE GUE/NGL	RCV	-	113, 391, 11
art 11, point 1	65	EDD		-	
	38	committee		+	
art 13, after § 3	55 = 61 =	Verts/ALE GUE/NGL	RCV	-	237, 271, 9
annex 1, part A, after point 7	66	EDD		+	
annex, part B, point 3	67	EDD		-	
annex, part B, point 5	68	EDD	RCV	-	240, 278, 2
recital 4	4	committee	EV	-	238, 267, 7
	56 = 62 =	Verts/ALE GUE/NGL		↓	
vote: amended proposal				+	
vote: legislative resolution				+	

Amendments 13/14 and 21/22 of the RETT committee had been merged.

Amendment 44 had been cancelled.

Amendments 2, 8, 9, 10 and 50 did not concern all language versions and were not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

Verts/ALE: ams 52/58, 53/59, 54/60
GUE/NGL: ams 52/58, 53/59, 54/60, 55/61, 68

Requests for separate vote

PPE-DE: ams 21, 42, 43, 47, 48, 49
PSE: ams 12, 17, 18, 26, 36, 41-49
ELDR: ams 3, 6, 30, 47, 48, 49
GUE/NGL: ams 43, 45, 46, 47, 48, 67

Requests for split votes

PSE, ELDR

am 19

1st part: up to 'premises of undertakings'

2nd part: remainder

Tuesday 20 April 2004

31. European Refugee Fund 2005-2010 *

Report: DEPREZ (A5-0267/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>amendments by committee responsible — block vote</i>	1-10 12-27	<i>committee</i>		+	
art 4	28	PSE		+	
	11	<i>committee</i>		↓	
<i>vote: amended proposal</i>				+	
<i>legislative resolution</i>					
§ 3	29	PPE-DE		-	
<i>vote: legislative resolution</i>				+	

32. Thematic strategy on the prevention and recycling of waste

Report: FLORENZ (A5-0176/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 2	30S	PPE-DE		-	
§ 5	10	Verts/ALE		+	
§ 8	11	Verts/ALE	RCV	+	280, 220, 11
after § 8	12	Verts/ALE	RCV	+	272, 221, 9
§ 9	31	PPE-DE		+	
after § 9	13	Verts/ALE	RCV	+	270, 233, 7
	14	Verts/ALE	RCV	+	481, 14, 15
§ 12	32	PPE-DE		-	
§ 16	15	Verts/ALE	RCV	+	343, 147, 16
§ 18	16	Verts/ALE		+	
§ 19	33	PPE-DE		-	
§ 20	34	PPE-DE	RCV	+	392, 111, 10
§ 21	35	PPE-DE		-	
after § 22	17	Verts/ALE		+	
§ 23	18	Verts/ALE		+	

Tuesday 20 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 26	19	Verts/ALE		-	
§ 29	20	Verts/ALE	RCV	+	253, 244, 18
after § 29	21	Verts/ALE	split		
			1/RCV	+	273, 223, 10
			2/RCV	-	234, 269, 5
§ 30	36D	PPE-DE		-	
§ 31	37	PPE-DE		+	
§ 32	38	PPE-DE		-	
§ 34	22	Verts/ALE		-	
§ 35	23	Verts/ALE		-	
§ 40	4	EDD		-	
	39	PPE-DE + UEN		-	
§ 41	5	EDD		-	
rec D	24	PPE-DE		+	
recital G	25	PPE-DE		+	
	6	Verts/ALE		↓	
rec I	26S	PPE-DE		-	
recital L	27	PPE-DE		+	
rec M	28	PPE-DE		+	
recital O	7	Verts/ALE		+	
rec P	29	PPE-DE		+	
recital R	8	Verts/ALE		+	
after recital T	9	Verts/ALE		+	
	2	EDD		+	
	1	EDD		-	
rec U	3	EDD		-	
vote: resolution (as a whole)				+	

Requests for roll-call votes

Verts/ALE: ams 11, 12, 13, 14, 15, 20, 21, 34

Requests for split votes

ELDR

am 21*1st part:* text as a whole except the word 'fully'*2nd part:* that word

Tuesday 20 April 2004

33. Respect for and promotion of the values on which the Union is based

Report: VOGGENHUBER (A5-0227/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 1	5	PPE-DE		-	
§ 2	6S	PPE-DE		-	
§ 3	7D	PPE-DE		-	
	2	GUE/NGL		-	
§ 4	8S	PPE-DE		W	
§ 6	9	PPE-DE	EV	-	220, 231, 7
§ 7	10	PPE-DE		W	
§ 10	12S	PPE-DE		W	
	11	PPE-DE		-	
§ 11, point (d)	13D	PPE-DE		W	
§ 12	14S	PPE-DE		W	
after recital D	3	PPE-DE		W	
recital E	4D	PPE-DE		W	
recital G	1	GUE/NGL		-	
vote: resolution (as a whole)			RCV	+	383, 30,52

Requests for roll-call votes

Verts/ALE: final vote

Other information

The PPE-DE Group had withdrawn its amendments 8, 10, 12, 13, 14, 3, 4.

Tuesday 20 April 2004

ANNEX II

RESULT OF ROLL-CALL VOTES

1. Fourtou report A5-0255/2004

Resolution

For: 454

EDD: Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooijs-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Herzog, Jové Peres, Puerta, Sylla**NI:** Beysen, Borghezio, Gobbo, Hager, de La Perrière, Martin Hans-Peter, Mennea, Raschhofer, Speroni, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Ingledwood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, 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, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carraro, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Tuesday 20 April 2004

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans, Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Ortuondo Larrea, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 7

EDD: Andersen, Bonde, Booth, Farage, Sandbæk, Titford

UEN: Camre

Abstention: 51

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca

NI: Berthu, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Souchet, Turco

Verts/ALE: McKenna

2. Randzio-Plath report A5-0273/2004

Secret vote

EDD: Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Booth, Coûteaux, van Dam, Esclopé, Farage, Kuntz, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

NI: Berthu, Beysen, Bonino, Borghesio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gorostiaga Atxalandabaso, Hager, de La Perrière, Martin Hans-Peter, Mennea, Raschhofer, Souchet, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, 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, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig,

Tuesday 20 April 2004

Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carraro, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Morera i Catalá, Nogueira Román, Onesta, Ortuondo Larrea, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

3. Doorn report A5-0221/2004

Resolution

For: 501

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

NI: Berthu, Beysen, Borghezio, Gobbo, Gorostiaga Atxalandabaso, Hager, de La Perrière, Martin Hans-Peter, Mennea, Raschhofer, Souchet, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Boдрato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling,

Tuesday 20 April 2004

Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, 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, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carraro, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Nogueira Román, Onesta, Ortuondo Larrea, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 1

UEN: Camre

Abstention: 23

EDD: Abitbol, Booth, Coûteaux, Farage, Kuntz, Titford

GUE/NGL: Bordes, Krarup, Krivine, Laguiller

NI: Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Lang, Turco

PSE: Färm

4. 2nd Wuermeling report A5-0224/2004

Amendments 48 + 178

For: 273

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Huhne, Jensen, Ludford, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

Tuesday 20 April 2004

NI: Berthu, Beysen, Borghezio, Garaud, Gobbo, Hager, de La Perriere, Mennea, Souchet, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, 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, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Lalumière

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Against: 242

EDD: Andersen, Bonde, Booth, Farage, Sandbæk, Titford

ELDR: Dybkjær, Maaten, Riis-Jørgensen

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Morera i Catalá, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Tuesday 20 April 2004

Abstention: 11

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Martin Hans-Peter, Turco

5. 2nd Wuermeling report A5-0224/2004

Amendment 178(a)

For: 317

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

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

NI: Berthu, Beysen, Borghezio, Garaud, Gobbo, Gollnisch, Hager, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, 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, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 203

EDD: Abitbol, Andersen, Bonde, Sandbæk, Titford

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

Tuesday 20 April 2004

NI: Claeys, Dillen, de Gaulle, Gorostiaga Atxalandabaso, Lang, Martin Hans-Peter

PPE-DE: Doyle

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Breyer

Abstention: 11

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

PSE: Rothley

6. 2nd Wuermeling report A5-0224/2004

Amendment 173

For: 241

EDD: Abitbol, Coûteaux, Kuntz

NI: Berthu, Beysen, Garaud, de La Perriere, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfé, Banotti, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, 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, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Duin, Glante, Görlach, Hänsch, Haug, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Lange, Leinen, Mann Erika, Marinho, Müller, Rapkay, Roth-Behrendt, Schmid Gerhard, Valenciano Martínez-Orozco

Tuesday 20 April 2004

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Against: 272

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

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Markov, Maset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

NI: Borghezio, Claeys, Dillen, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martin Hans-Peter, Raschhofer, Speroni

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Gröner, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Randzio-Plath, Read, Rocard, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Lancker, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 11

EDD: Booth, Farage, Tiford

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Mennea, Turco

PSE: Bösch, Rothley

7. 2nd Wuermeling report A5-0224/2004

Amendment 201

For: 276

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

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

Tuesday 20 April 2004

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer, Speroni

PPE-DE: Cesaro, Costa Raffaele, Gil-Robles Gil-Delgado, Wijkman

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Gröner, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Randzio-Plath, Read, Rocard, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Collins, Crowley

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori

Against: 235

EDD: Abitbol, Kuntz

ELDR: Monsonís Domingo

NI: Berthu, Beysen, Garaud, de La Perriere, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Ceyhun, Duin, Glante, Görlach, Hänsch, Haug, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Lange, Leinen, Mann Erika, Müller, Rapkay, Roth-Behrendt

Tuesday 20 April 2004

UEN: Bigliardo, Camre, Fitzsimons, Hyland, Marchiani, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Abstention: 18

EDD: Booth, Farage, Titford

NI: Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, de Gaulle, Gollnisch, Lang, Mennea, Turco

PSE: Bullmann

UEN: Muscardini, Nobilia, Turchi

8. 2nd Wuermeling report A5-0224/2004

Amendment 202

For: 205

EDD: Abitbol, Andersen, Bernié, Bonde, Esclopé, Mathieu, Saint-Josse, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Friedrich

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Rocard, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wynn

Against: 312

EDD: Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Fleisch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perrière, Raschhofer, Souchet, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro,

Tuesday 20 April 2004

Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, 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, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe, Cashman, Corbett, Evans Robert J.E., Ford, Gill, Hänsch, Honeyball, Howitt, Hughes, Kinnock, McAvan, McCarthy, McNally, Mann Erika, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Randzio-Plath, Rapkay, Read, Roth-Behrendt, Schmid Gerhard, Simpson, Skinner, Stihler, Swiebel, Titley, Whitehead, Wynn

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Abstention: 8

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Mennea, Turco

UEN: Nobilia, Turchi

9. Thors report A5-0171/2004

Amendment 1

For: 437

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Dybkjær, Rutelli

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Caudron, Chountis, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca

NI: Gorostiaga Atxalandabaso, de La Perriere, Martin Hans-Peter, Raschhofer, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas,

Tuesday 20 April 2004

Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, 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, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 73

EDD: Abitbol, Bernié, Booth, Coûteaux, Esclopé, Farage, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

NI: Berthu, Beysen, Claeys, Dell'Alba, Dillen, Garaud, de Gaulle, Gollnisch, Souchet

PPE-DE: Gawronski, Niebler, Schmitt, Suominen, Vatanen, van Velzen

UEN: Bigliardo, Camre, Collins, Marchiani, Muscardini, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 11

ELDR: Manders

NI: Bonino, Borghezio, Cappato, Della Vedova, Dupuis, Gobbo, Mennea, Speroni, Turco

UEN: Hyland

Tuesday 20 April 2004

10. Thors report A5-0171/2004**Amendment 78****For: 232****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca

NI: Berthu, Martin Hans-Peter, Raschhofer

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Ferreira, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 273**EDD:** Abitbol, Bernié, Esclopé, Farage, Mathieu, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

NI: Beysen, Borghesio, Garaud, Gobbo, Gorostiaga Atxalandabaso, de La Perriere, Mennea, Speroni

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta,

Tuesday 20 April 2004

Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Fava, Ghilardotti, Napoletano, Paciotti, Sacconi, Trentin, Veltroni

UEN: Bigliardo, Marchiani, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 20

EDD: Coûteaux

ELDR: Dybkjær

NI: Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Gollnisch, Lang, Souchet, Turco, Varaut

PPE-DE: Schierhuber

UEN: Collins, Fitzsimons, Hyland, Muscardini

11. Blokland report A5-0265/2004

Amendment 23

For: 290

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Qaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: Averoff, Daul, Dimitrakopoulos, Hatzidakis, Kratsa-Tsagaropoulou, Marinos, Mastella, Smet, Trakatellis, Wijkman, Xarchakos, Zacharakis

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Bigliardo, Camre, Muscardini, Nobilia, Segni, Turchi

Tuesday 20 April 2004

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 224

EDD: Bernié, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Flesch, Vallvé

GUE/NGL: Ainardi

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rosing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

PSE: Bowe, Hughes, Linkohr

UEN: Andrews, Collins, Fitzsimons, Hyland, Marchiani, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 11

ELDR: Newton Dunn

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Mennea, Turco

PPE-DE: Florenz, Maat, Oomen-Ruijten

12. Blokland report A5-0265/2004

Amendment 82, 1st part

For: 295

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

Tuesday 20 April 2004

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: Averoff, Dimitrakopoulos, Hatzidakis, Maat, Marinos, Oomen-Ruijten, Pex, Trakatellis, Wijkman, Xarchakos, Zacharakis

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., 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, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Camre, Fitzsimons, Hyland, Muscardini, Nobilia, Queiró, Segni, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori

Against: 209

EDD: Bernié, Coûteaux, Kuntz, Saint-Josse, Titford

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang, de La Perrière, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaw, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

UEN: Collins, Marchiani, Ribeiro e Castro, Thomas-Mauro

Tuesday 20 April 2004

Abstention: 14**EDD:** Mathieu**ELDR:** Newton Dunn**GUE/NGL:** Ainardi**NI:** Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Mennea, Speroni, Turco**PPE-DE:** Florenz**13. Blokland report A5-0265/2004****Amendment 82, 2nd part****For: 198****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson**PPE-DE:** Averoff, Dimitrakopoulos, Hatzidakis, Oomen-Ruijten, Pex, Trakatellis, Wijkman, Xarchakos, Zacharakis**PSE:** Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Camre**Against: 309****EDD:** Belder, Bernié, Blokland, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla**NI:** Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martin Hans-Peter, Raschhofer, Souchet, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase,

Tuesday 20 April 2004

Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Kaldí, Karas, Kauppi, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 11

ELDR: Newton Dunn

NI: Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Mennea, Speroni, Turco

14. Blokland report A5-0265/2004

Amendment 118

For: 23

EDD: Andersen, Bonde, Coûteaux, Kuntz, Sandbæk, Titford

ELDR: Dybkjær

GUE/NGL: Krarup

NI: Berthou, Borghezio, Garaud, Gobbo, de La Perrière, Speroni, Varaut

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Queiró, Ribeiro e Castro, Thomas-Mauro

Against: 499

EDD: Belder, Bernié, Blokland, van Dam, Esclopé, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Fleisch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Beysen, Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martin Hans-Peter, Mennea, Raschhofer, Souchet

Tuesday 20 April 2004

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoven Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, 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, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Bigliardo, Marchiani, Muscardini, Nobilia, Segni, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 8

ELDR: Vallvé

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

UEN: Hyland

15. Cocilovo report A5-0220/2004

Amendment 53

For: 103

EDD: Andersen, Bonde, Sandbæk

ELDR: Van Hecke

Tuesday 20 April 2004

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: Ebner, Karas, Rack, Radwan, Rübig, Schierhuber, Stenzel

PSE: Berger, Bösch, Dehousse, Dhaene, Dührkop Dührkop, El Khadraoui, Ettl, Scheele, Schulz, Swoboda, Vairinhos

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 414

EDD: Belder, Bernié, Blokland, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Qaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsoni-Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Lang, de La Perrière, Souchet, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, 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, Rovsing, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, De Keyser, Désir, Díez González, Duhamel, Duin, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano,

Tuesday 20 April 2004

Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Schmid Gerhard, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 6

GUE/NGL: Laguiller

NI: Borghezio, Gobbo, Mennea, Speroni

PPE-DE: Costa Raffaele

16. Cocilovo report A5-0220/2004

Amendment 54

For: 242

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: Ebner, Karas, Posselt, Rack, Radwan, Rübig, Schierhuber, Stenzel

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Tuesday 20 April 2004

Against: 267**EDD:** Bernié, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford**ELDR:** André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson**NI:** Berthu, Beysen, Bonino, Borghesio, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gobbo, de La Perrière, Souchet, Speroni, Turco, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcóy Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, 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, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**UEN:** Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi**Abstention: 6****NI:** Claeys, Dillen, de Gaulle, Gollnisch, Lang, Mennea**17. Cocilovo report A5-0220/2004****Amendment 55****For: 215****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer**PPE-DE:** Ebner, Flemming, Karas, Posselt, Rack, Radwan, Rübig, Schierhuber, Stenzel**PSE:** Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage,

Tuesday 20 April 2004

Lalumière, Lange, Leinen, Lund, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Wiersma, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 298

EDD: Bernié, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Bonino, Borghesio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, 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, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe, Cashman, Corbett, Désir, Evans Robert J.E., Gill, Honeyball, Howitt, Hughes, Kinnock, Linkohr, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Read, Schmid Gerhard, Simpson, Skinner, Stihler, Swiebel, Titley, Whitehead, Wynn

UEN: Andrews, Bigliardo, Collins, Crowley, Marchiani, Nobilia, Ribeiro e Castro, Segni, Turchi

Abstention: 5

GUE/NGL: Blak

NI: Mennea

PSE: Pittella

UEN: Fitzsimons, Hyland

Tuesday 20 April 2004

18. Cocilovo report A5-0220/2004**Amendment 56****For: 101****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Boogerdt-Quaak**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer**PPE-DE:** Ebner, Flemming, Karas, Rack, Rübig, Schierhuber, Stenzel**PSE:** Berger, Bösch, Dehousse, Ettl, Lund, Marinho, Scheele, Swoboda, Vairinhos**UEN:** Camre**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 418****EDD:** Belder, Bernié, Blokland, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson**GUE/NGL:** Blak**NI:** Berthu, Beysen, Bonino, Borghezio, Cappato, Claey's, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perriere, Mennea, Souchet, Speroni, Turco, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen 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, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Píscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Tuesday 20 April 2004

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 1

ELDR: Dybkjær

19. Cocilovo report A5-0220/2004

Amendment 48

For: 308

EDD: Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Kuntz, Saint-Josse, Sandbæk, Titford

ELDR: Attwooll, Boogerd-Quaak, Clegg, Davies, Duff, Dybkjær, Huhne, Ludford, Malmström, Manders, Paulsen, Plooi-van Gorsel, Procacci, Schmidt, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso, de La Perriere, Martin Hans-Peter, Raschhofer, Souchet, Speroni, Varaut

PPE-DE: Arvidsson, Atkins, Balfe, Bradbourn, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Deva, Dover, Ebner, Elles, Evans Jonathan, Fatuzzo, Flemming, Foster, Grönfeldt Bergman, Grosch, Harbour, Helmer, Inglewood, Karas, Khanbhai, Kirkhope, Parish, Perry, Purvis, Rack, Rübig, Scallon, Schierhuber, Smet, Stenmarck, Stenzel, Stevenson, Sturdy, Tannock, Twinn, Van Orden, Villiers, Vlasto

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Bigliardo, Camre, Queiró, Ribeiro e Castro, Thomas-Mauro

Tuesday 20 April 2004

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 208

EDD: Coûteaux

ELDR: Andreasen, André-Léonard, van den Bos, Busk, Calò, De Clercq, Flesch, Jensen, Maaten, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Pesälä, Pohjamo, Riis-Jørgensen, Rutelli, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Bordes

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bremmer, Brienza, Brunetta, Camisón Asensio, Cardoso, Cesaro, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grossetête, Gutiérrez-Cortines, Hannan, Hatzidakis, Heaton-Harris, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jackson, Jarzembowski, Jeggle, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Sommer, Stauner, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Segni, Turchi

Abstention: 10

EDD: Mathieu

GUE/NGL: Laguiller

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang, Mennea

20. Markov report A5-0216/2004

Amendments 52 + 58

For: 119

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso, Raschhofer, Speroni

PPE-DE: Ebner, García-Orcoyen Tormo, Lechner, Liese, Mastella, Wijkman

Tuesday 20 April 2004

PSE: Carlotti, Dehousse, De Keyser, Désir, Dhaene, Duhamel, El Khadraoui, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Lund, Marinho, Paasilinna, Pérez Royo, Poignant, Roure, Savary, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 392

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

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, de La Perrière, Mennea, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fournou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, 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, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Díez González, Dührkop Dührkop, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paciotti, Patrie, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Tuesday 20 April 2004

Abstention: 10

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

NI: Claey, Dillen, de Gaulle, Gollnisch, Lang

UEN: Camre

21. Markov report A5-0216/2004

Amendments 53 + 59

For: 114

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebig, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Borghesio, Gobbo, Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer, Speroni

PSE: Berès, Carlotti, Dehousse, De Keyser, Désir, Dhaene, Duhamel, El Khadraoui, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Lund, Marinho, Paasilinna, Pérez Royo, Poignant, Rocard, Roure, Savary, Thorning-Schmidt, Vairinhos, Van Lancker, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 390

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Dupuis, de La Perrière, Mennea, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Tuesday 20 April 2004

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Campos, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Díez González, Dührkop Dührkop, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paciotti, Patrie, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Turchi

Abstention: 11

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

NI: Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang

UEN: Camre

22. Markov report A5-0216/2004

Amendments 54 + 60

For: 113

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello, Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer, Speroni

PSE: Berès, Carlotti, Dehousse, De Keyser, Désir, Dhaene, Duhamel, El Khadraoui, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Lund, Marinho, Patrie, Pérez Royo, Poignant, Rocard, Roure, Savary, Vairinhos, Van Lancker, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 391

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

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, de La Perriere, Mennea, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez,

Tuesday 20 April 2004

Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, 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, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Campos, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Díez González, Dührkop Dührkop, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 11

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

NI: Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang

UEN: Camre

23. Markov report A5-0216/2004

Amendments 55 + 61

For: 237

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Raschhofer

PPE-DE: Bremmer, Maat

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot,

Tuesday 20 April 2004

Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 271

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

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gobbo, de La Perriere, Martin Hans-Peter, Mennea, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, 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, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 9

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

ELDR: Dybkjær

NI: Claeys, Dillen, de Gaulle

UEN: Camre

Tuesday 20 April 2004

24. Markov report A5-0216/2004**Amendment 68****For: 240**

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk, Titford

GUE/NGL: Krarup

NI: Berthu, Beysen, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Lang, de La Perrière, Mennea, Raschhofer, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, 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, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Marinho

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Against: 278

ELDR: Andreasen, André-Léonard, Attwooll, Booger-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigg, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Borghezio, Della Vedova, Gobbo, Martin Hans-Peter, Speroni

PPE-DE: Atkins, Jeggle, Wieland, Wijkman

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhan, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori,

Tuesday 20 April 2004

Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons, Hyland, Marchiani

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Abstention: 2

NI: Gorostiaga Atxalandabaso

Verts/ALE: Schörling

25. Florenz report A5-0176/2004

Amendment 11

For: 280

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebig, Figueiredo, Frahm, Fraisse, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martin Hans-Peter, Raschhofer

PPE-DE: De Veyrac, Goepel, Santini, Wijkman

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland

Tuesday 20 April 2004

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 220

EDD: Bernié, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: van den Bos, Ludford, Mulder, Thors

NI: Berthu, Beysen, Borghezio, Gobbo, de La Perriere, Mennea, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, 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, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Bigliardo, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 11

ELDR: Manders

GUE/NGL: Alyssandrakis, Herzog, Korakas, Patakis

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

26. Florenz report A5-0176/2004

Amendment 12

For: 272

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Ludford, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla

Tuesday 20 April 2004

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: De Veyrac, Wijkman

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 221

EDD: Bernié, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Plooi-j-van Gorsel

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang, de La Perriere, Mennea

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, 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, Jeggel, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Montfort, Morillon, Musotto, 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, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Goebbels

UEN: Bigliardo, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Tuesday 20 April 2004

Abstention: 9

ELDR: Manders

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

27. Florenz report A5-0176/2004

Amendment 13

For: 270

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: Koch, Wijkman

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Fitzsimons

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 233

EDD: Bernié, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Nordmann, Plooi-van Gorsel, Thors

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perrière, Mennea, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez,

Tuesday 20 April 2004

Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, 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, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Bigliardo, Collins, Crowley, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 7

ELDR: Manders

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

28. Florenz report A5-0176/2004

Amendment 14

For: 481

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Kuntz, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Newton Dunn, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Berthu, Beysen, Borghezio, Garaud, Gobbo, Gorostiaga Atxalandabaso, de La Perriere, Martin Hans-Peter, Raschhofer, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher,

Tuesday 20 April 2004

Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schöring, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 14

EDD: Bernié, Esclopé, Mathieu, Saint-Josse, Titford

PPE-DE: McMillan-Scott, Mastella, Suominen

PSE: Goebbels

UEN: Marchiani, Muscardini, Nobilia, Segni, Turchi

Abstention: 15

ELDR: Mulder, Nordmann, Thors

NI: Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Gollnisch, Lang, Mennea, Turco

PPE-DE: Xarchakos

29. Florenz report A5-0176/2004

Amendment 15

For: 343

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Kuntz, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Värynen, Vallvé, Van Hecke, Vermeer, Virrankoski

Tuesday 20 April 2004

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Berthu, Beysen, Garaud, Gorostiaga Atxalandabaso, de La Perriere, Martin Hans-Peter, Raschhofer, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Dhaene, El Khadraoui, Ford, Lund, Napoletano, Piecyk, Thorning-Schmidt, Vairinhos

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 147

EDD: Bernié, Esclopé, Mathieu, Saint-Josse, Titford

NI: Mennea

PPE-DE: Mastella

PSE: Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Marchiani, Muscardini, Nobilia, Segni

Tuesday 20 April 2004

Abstention: 16

ELDR: Mulder

NI: Bonino, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Gobbo, Gollnisch, Lang, Speroni, Turco

PPE-DE: Xarchakos

30. Florenz report A5-0176/2004

Amendment 34

For: 392

EDD: Bernié, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Nordmann, Plooi-j-van Gorsel

GUE/NGL: Bakopoulos, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigler, Jové Peres, Krarup, Manisco, Markov, Marset Campos, Meijer, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Sjöstedt, Sylla

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perriere, Mennea, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Tuesday 20 April 2004

Against: 111**EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Blak, Bordes, Brie, Figueiredo, Frahm, Fraisse, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Modrow, Morgantini, Papayannakis, Pataakis, Schröder Ilka, Seppänen**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer**PPE-DE:** Bremmer**PSE:** Bowe, De Keyser, Dhaene, El Khadraoui, Lund, Vairinhos**UEN:** Marchiani**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Abstention: 10****ELDR:** Manders, Mulder**GUE/NGL:** Herzog**NI:** Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco**PPE-DE:** Wijkman**31. Florenz report A5-0176/2004****Amendment 20****For: 253****EDD:** Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski**GUE/NGL:** Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Pataakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer**PPE-DE:** Andria, Sacrédeus, Wijkman, Xarchakos**PSE:** Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes,

Tuesday 20 April 2004

Müller, Myller, Napoletano, Napolitano, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Wiersma, Zorba, Zrihen

UEN: Andrews, Camre, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 244

EDD: Bernié, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Nordmann, Plooi-jan Gorsel

NI: Berthu, Beysen, Borghezio, Gobbo, de La Perriere, Mennea, Speroni, Varaut

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Píscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Cashman, Evans Robert J.E., Ford, Gill, Goebbels, Honeyball, Howitt, Hughes, Kinnock, McCarthy, McNally, Martin David W., Miller, Morgan, Murphy, O'Toole, Read, Simpson, Skinner, Stihler, Titley, Whitehead, Wynn

UEN: Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ribeiro e Castro, Turchi

Abstention: 18

ELDR: Manders, Mulder, Rousseaux, Vermeer

GUE/NGL: Herzog

NI: Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Lang, Turco

PSE: Bowe

Tuesday 20 April 2004

32. Florenz report A5-0176/2004**Amendment 21, 1st part****For: 273****EDD:** Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Ludford, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla**NI:** Borghezio, Gobbo, Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer, Speroni**PPE-DE:** Florenz, Wijkman, Xarchakos**PSE:** Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Andrews**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 223****EDD:** Bernié, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford**ELDR:** Plooi-j-van Gorsel**NI:** Berthu, Beysen, Claeys, Dillen, de Gaulle, Gollnisch, Lang, de La Perriere, Mennea, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat,

Tuesday 20 April 2004

McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe

UEN: Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 10

ELDR: Manders, Mulder

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Turco

UEN: Camre

33. Florenz report A5-0176/2004

Amendment 21, 2nd part

For: 234

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Raschhofer

PPE-DE: Wijkman, Xarchakos

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Morera i Catalá, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Tuesday 20 April 2004

Against: 269

EDD: Belder, Bernié, Blokland, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perriere, Mennea, Speroni, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Bremmer, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Goebbels

UEN: Andrews, Collins, Crowley, Hyland, Marchiani, Muscardini, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 5

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

34. Voggenhuber report A5/0227/2004**Resolution****For: 383**

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Di Lello Finuoli, Fiebigler, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Puerta

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Mennea, Raschhofer, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, Bourlanges, Bremmer, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Dimitrakopoulos, Doorn, Doyle, Ebner, Fernández Martín, Ferrer, Ferri, Flemming, Fourtou, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Gomolka, Gouveia,

Tuesday 20 April 2004

Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jackson, Jeggle, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Klamt, Knolle, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Xarchakos, Zabell, Zacharakis, Zappalà

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, 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, Veltroni, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Crowley, Fitzsimons, Queiró

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, McCormick, Maes, Morera i Catalá, Nogueira Román, Onesta, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 30

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

GUE/NGL: Seppänen

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, Gobbo, de La Perriere, Speroni

PPE-DE: Almeida Garrett, Fiori, Jarzembowski, Mastella, Mauro, Wuermeling

UEN: Andrews, Marchiani, Ribeiro e Castro, Thomas-Mauro

Abstention: 52

GUE/NGL: Alyssandrakis, Bordes, Eriksson, Figueiredo, Frahm, Korakas, Krarup, Krivine, Laguiller, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Sjöstedt, Sylla

PPE-DE: Atkins, von Boetticher, Bradbourn, Bushill-Matthews, Corrie, Deva, Dover, Elles, Evans Jonathan, Ferber, Foster, Friedrich, Goodwill, Hannan, Harbour, Heaton-Harris, Inglewood, Kastler, Khanbhai, Koch, Konrad, Mantovani, Montfort, Parish, Perry, Purvis, Schierhuber, Stevenson, Sturdy, Tannock, Twinn, Van Orden, Villiers

UEN: Camre, Hyland, Turchi

Verts/ALE: Mayol i Raynal

Tuesday 20 April 2004

TEXTS ADOPTED**P5_TA(2004)0278****Wider Europe – New Neighbourhood policy ***

European Parliament legislative resolution on the proposal for a Council decision amending Decision 2000/24/EC to take into account the enlargement of European Union and the EU's Wider Europe -New Neighbourhood policy (COM(2003) 603 – C5-0501/2003 – 2003/0232(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 603) ⁽¹⁾,
 - having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0501/2003),
 - having regard to Rule 67 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 and the Committee on Industry, External Trade, Research and Energy (A5-0198/2004),
1. Approves the Commission proposal as amended on 31 March 2004 ⁽²⁾;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ P5_TA(2004)0230.

P5_TA(2004)0279**Tax reductions on energy products in Cyprus ***

European Parliament legislative resolution on the proposal for a Council directive amending Directive 2003/96/EC as regards the possibility for Cyprus to apply, in respect of energy products and electricity, temporary exemptions or reductions in the levels of taxation (COM(2004) 185 – C5-0175/2004 – 2004/0067(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 185) ⁽¹⁾,
- having regard to Article 93 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0175/2004),

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

- having regard to Rules 67 and 158(1) of its Rules of Procedure,
 - having regard to its resolution of 30 March 2004 on the proposal for a Council directive amending Directive 2003/96/EC as regards the possibility for certain Member States to apply, in respect of energy products and electricity, temporary exemptions or reductions in the levels of taxation ⁽¹⁾,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0264/2004),
1. Approves the Commission proposal;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 4. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ P5-TA-PROV(2004)0200.

P5_TA(2004)0280

Electronic road toll systems *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on the interoperability of electronic road toll systems in the Community (6277/1/2004 – C5-0163/2004 – 2003/0081(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (6277/1/2004 – C5-0163/2004) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2003) 132) ⁽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 (A5-0246/2004),
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 Commission.

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ Texts adopted, 18.12.2003, P5_TA(2003)0594.

⁽³⁾ Not yet published in the OJ.

Tuesday 20 April 2004

P5_TA(2004)0281

Community Customs Code *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (COM(2003) 452 – C5-0345/2003 – 2003/0167(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 452) ⁽¹⁾,
 - having regard to Articles 251(2) and 26, 95, 133 and 135 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0345/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the Internal Market and the opinion of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0255/2004),
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 the Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TC1-COD(2003)0167

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 26, 95, 133 and 135 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⁾,

⁽¹⁾ OJ C [...], [...], p. [...].

⁽²⁾ OJ C [...], [...], p. [...].

⁽³⁾ Position of the European Parliament of 20 April 2004.

Tuesday 20 April 2004

Whereas:

- (1) Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, as last amended by Regulation (EC) No 2700/2000⁽²⁾ lays down the rules for the customs treatment of goods that are imported or to be **exported**.
- (2) **It is necessary to establish an equivalent level of protection in customs controls on goods brought into the Community. In order to achieve this objective, it is necessary to establish an equivalent level of customs control in the Community** and to ensure a harmonised application of customs controls by the Member States, **which have principal responsibility for the application of** these controls. Such controls should be based on commonly agreed standards and risk criteria for the selection of goods and economic operators in order to minimise the occurrence of risks to the Community and its citizens **and to the Community's trading partners**. Member States and the Commission should therefore introduce an EU risk management framework to support a common approach so that priorities are set effectively and resources are allocated efficiently with the aim of maintaining a proper balance between customs controls and the facilitation of legitimate trade. Such a framework should also provide for common criteria and harmonised requirements for authorised **economic** operators and ensure a harmonised application of such criteria and requirements. The establishment of a risk management framework common to all Member States should not prevent them from controlling goods by *means of spot-checks*.
- (3) Risk-related information on import and export goods should be shared between the competent administrations of the Member States and the **Commission**. **To** this end, a common, secure system should be set up, enabling the competent authorities to access, transfer and exchange this information in a timely and effective manner. Such information may also be shared with third countries where an international agreement provides for this.
- (4) **The conditions under which information provided by economic operators to customs may be disclosed to other authorities in the same Member State, to other Member States, to the Commission, or to authorities in third countries should be specified. To that end, it must be made clear that Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽³⁾ and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽⁴⁾ apply to the processing of personal data by the competent authorities and by any other authority receiving data pursuant to the Community Customs Code.**
- (5) In order to allow for appropriate risk-based controls, it is necessary to establish the requirement of pre-arrival or pre-departure information for all goods entering into or leaving the Community customs territory, except for goods passing through by air or ship without a stop within this territory. Such information, **which is normally supplied by international transporters**, should be available before the goods enter into or leave the Community customs territory. Different timeframes and rules can be set according to the type of goods **and the type of transport, for authorised economic operators, or where an international agreement provides for special security arrangements**. This requirement must also be introduced with regard to goods brought into or out of a free zone in order to avoid security loopholes. **Controls relating to security matters should normally be carried out at the customs offices of entry at the entry points to the Community, whereas those for duty collection or similar purposes should normally be carried out at inland offices of import.**
- (6) Regulation (EEC) No 2913/92 should therefore be amended accordingly.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 281, 23.11.1995, p. 31. Directive amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽⁴⁾ OJ L 8, 12.1.2001, p. 1.

Tuesday 20 April 2004

HAVE ADOPTED THIS REGULATION

Article 1

Regulation (EEC) No 2913/92 shall be amended as follows:

1. **Article 4 shall be amended as follows:**

(a) **The following points are inserted:**

'(4a) 'customs office of entry' means the customs office to which goods brought into the customs territory of the Community must be conveyed without delay and at which they are to be subject to appropriate risk-based entry control;

(4b) 'customs office of import' means the customs office where the formalities for assigning goods brought into the customs territory of the Community to a customs-approved treatment or use are to be carried out;

(4c) 'customs office of export' means the customs office where the formalities for assigning goods leaving the customs territory of the Community to a customs-approved treatment or use are to be completed;

(4d) 'customs office of exit' means the customs office to which goods must be presented before they leave the customs territory of the Community and at which they are to be subject to customs controls relating to the application of exit formalities;

(b) **Point 14 is replaced by the following:**

'14) 'Customs controls' mean specific acts performed by the customs authorities in order to ensure the correct application of customs rules and other legislation governing the entry, exit, transit, transfer and end-use of goods moved between the customs territory of the Community and third countries and the presence of goods that do not have Community status. Such acts may include examining goods, verifying declaration data and the existence and authenticity of electronic or written documents, examining the accounts of undertakings and other records, inspecting means of transport, inspecting luggage and other goods carried by or on persons and carrying out official inquiries and other similar acts.'

(c) **The following points shall be added:**

'(25) 'Risk' means the likelihood of an event that may occur in connection with the international movement of goods between the customs territory of the Community and third countries and the presence of goods that do not have Community status, which:

- prevents the correct application of Community or national measures; or**
- compromises the financial interests of the Community and its Member States; or**
- poses a threat to the Community's security and safety, to public health, to the environment or to consumers.**

(26) 'Risk management' means the systematic identification and implementation of all measures necessary for limiting exposure to risks. This includes activities such as collecting data and information, analysing and assessing risk, prescribing and taking action and regular monitoring and review of the process and its outcomes, based on international, Community and national sources and strategies.'

Tuesday 20 April 2004

2. A new Section 1a and new Article 5a shall be inserted:

'Section 1a

Authorised Economic Operators

Article 5a

1. Customs authorities, after consulting other competent authorities if necessary, shall grant, subject to the criteria provided for in paragraph 2, the status of 'authorised economic operator' to any economic operator established in the customs territory of the Community which applies for the right to avail itself of a facilitation with regard to safety and security-related customs controls or a simplified procedure provided for elsewhere in the customs rules.

Except where customs rules provide that a facilitation or simplified procedure is restricted to one or more Member States, the status of 'authorised economic operator' shall, subject to the criteria laid down in paragraph 2, be recognised by the customs administrations in all Member States.

2. The criteria for accreditation as authorised economic operator shall include:

- an appropriate record of compliance with customs requirements;
- satisfactory commercial management and, where appropriate, transport records which permit appropriate customs controls; and
- appropriate security and safety standards.

The committee procedure shall be used to establish:

- the rules for granting authorisations and authorising facilitations or simplified procedures under paragraph 1;
- the rules which establish which customs authority is competent to grant authorisation;
- the rules for consultation with and provision of information to other customs authorities;
- the rules under which authorisation of facilitations with regard to safety and security-related customs controls may, in exceptional circumstances, be suspended by a customs authority;
- the conditions under which the status of 'authorised economic operator' may be withdrawn; and
- the conditions under which the requirement of being established in the Community may be waived for specific categories of authorised economic operators, taking into account, in particular, international agreements.'

3. Article 13 shall be replaced by the following:

'Article 13

1. Customs authorities may, in accordance with the conditions laid down by the provisions in force, carry out such controls as they deem necessary to ensure that customs rules and other legislation governing the international movement of goods between the customs territory of the Community and third countries and the presence of goods that do not have Community status are correctly applied. Customs controls for the purpose of verifying the correct application of Community legislation may be carried out in a third country where this is authorised by international agreement.

2. Customs controls, other than spot-checks, shall be based on risk analysis using automated data processing techniques, with the purpose of identifying and quantifying the risks and developing the necessary measures to assess them, on the basis of criteria developed at national, Community and, where available, international level.

Tuesday 20 April 2004

The implementing regulation shall establish a common risk management framework, common criteria and priority control areas. Member States, in cooperation with the Commission, shall establish an electronic system for the implementation of risk management.

3. **Where controls are performed by authorities other than customs authorities, such controls shall be performed in close coordination with the customs authorities, wherever possible at the same time and place.**

4. **In the context of the controls provided for in this Article, customs and other competent authorities, such as veterinary and police authorities, may exchange data received in connection with the international movement of goods between the customs territory of the Community and third countries and the presence of goods that do not have Community status. They may also communicate such data to the customs authorities of Member States and the Commission, where this is required for the correct application of relevant legislation, so as to protect the security of citizens and businesses or to detect or prevent irregularities. The communication of confidential data to customs and other authorities (such as security agencies) of third countries shall be permitted only in the context of an international agreement and provided that the data protection provisions in force, in particular Directive 95/46/EC and Regulation (EC) No 45/2001, are observed.'**

4. Article 15 shall be replaced by the following:

'Article 15

All information which is inherently confidential or which is provided on a confidential basis shall be subject to the duty of professional secrecy. It shall not be disclosed by the competent authorities without the express permission of the person or authority providing it. The communication of information shall, however, be permitted where the competent authorities are obliged to do so pursuant to the provisions in force, particularly in connection with legal proceedings. Any disclosure or communication of information shall fully comply with prevailing data protection provisions, in particular Directive 95/46/EC and Regulation (EC) No 45/2001.'

5. **In Article 16 the words 'control by the customs authorities' shall be replaced by the words 'customs controls'.**

6. Under Chapter 1 of Title III (Entry of goods into the customs territory) the following Articles shall be inserted:

'Article 36a

1. **Goods brought into the customs territory of the Community, with the exception of goods carried on means of transport which are merely passing through the territorial waters or airspace of the customs territory without making a stop within this territory, shall be covered by a summary declaration.**

2. **Summary declarations shall be lodged at the customs office of entry.**

Customs authorities may allow summary declarations to be lodged at another customs office, provided that the latter office immediately communicates the necessary particulars to the customs office of entry or makes them available to it electronically.

Customs authorities may accept, instead of the lodging of a summary declaration, the lodging of a notification and access to the summary declaration data in the operator's computer system.

3. **Summary declarations shall be lodged before goods are brought into the customs territory of the Community.**

4. **The committee procedure shall be used to establish:**

- **the deadline by which summary declarations must be lodged before goods are brought into the customs territory of the Community;**
- **the rules governing exceptions from and variations of the abovementioned deadline; and**

Tuesday 20 April 2004

- *the conditions under which the requirement for a summary declaration may be waived or adapted, according to special circumstances and applying to certain types of goods traffic, modes of transport or economic operators or where international agreements provide for special security arrangements.*

Article 36b

1. *The committee procedure shall be used to establish a common data set and format for the summary declaration, which shall contain the particulars necessary for risk analysis and the proper application of customs controls, primarily for security and safety purposes, using, where appropriate, international standards and commercial practices.*

2. *The summary declaration shall be made using a data processing technique. Commercial, port or transport information may be used, provided it contains the necessary particulars. Customs authorities may accept paper-based summary declarations in exceptional circumstances, provided that they apply the same level of risk management as that applied to summary declarations made using a data processing technique.*

3. *The summary declaration shall be lodged by the person who brings the goods, or who assumes responsibility for the carriage of the goods, into the customs territory of the Community.*

4. *Notwithstanding the obligations of the person described in paragraph 3, the summary declaration may be lodged instead by:*

- (a) the person in whose name the person referred to in paragraph 3 acts; or*
- (b) any person who is able to present the goods in question or to have them presented to the competent customs authority; or*
- (c) a representative of one of the persons referred to in paragraph 3 or points (a) or (b) of this paragraph.*

5. *The persons referred to in paragraphs 3 and 4 shall, at their request, be authorised to amend one or more particulars in the summary declaration after it has been lodged. However, no amendment shall be possible after the customs authorities:*

- (a) have informed the person who lodged the summary declaration that they intend to examine the goods; or*
- (b) have established that the particulars in questions are incorrect; or*
- (c) have allowed the removal of the goods.*

Article 36c

1. *The customs office of entry may waive the lodging of a summary declaration in respect of goods for which a customs declaration is lodged before the deadline mentioned in Article 36a (3) or (4). In such case, the customs declaration shall contain at least the data required for a summary declaration and, until the declaration is accepted in accordance with Article 63, it shall have the status of a summary declaration.*

2. *Customs authorities may permit customs declarations to be lodged at a customs office of import different from the customs office of entry, provided that such office immediately communicates the necessary particulars to the customs office of entry or makes them available to it electronically.*

3. *Where customs declarations are lodged other than by means of a data processing technique, customs authorities shall treat the data with the same degree of risk management as that applied to summary declarations in electronic form.'*

Tuesday 20 April 2004

7. *In Articles 37(1) and 38(3) the words 'control by the customs authority' shall be replaced with the words 'customs controls'.*

8. *Article 38(5) shall be replaced by the following:*

'5. Paragraphs 1 to 4 and Articles 36a to 36c and 39 to 53 shall not apply to goods which temporarily leave the customs territory of the Community while moving between two points in that territory by sea or air, provided that they are carried by a direct route and by a regular air or shipping service without a scheduled stop outside the Community customs territory.'

9. *Article 40 shall be replaced by the following:*

'Article 40

*Goods entering the customs territory of the Community shall be presented to customs by the person who brings them into that territory or, if appropriate, by the person who assumes responsibility for the carriage of the goods following entry, with the exception of means of transport only passing through the territorial waters or the airspace of the customs territory without a stop within this territory. **The person presenting the goods shall make a reference to the summary declaration or customs declaration previously lodged in respect of the goods.***

10. *Title III, Chapter 3 shall be re-titled 'Unloading of goods presented to customs'*

11. *Articles 43 to 45 shall be deleted*

12. *Article 170 (2) shall be replaced by the following:*

'2. Goods shall be presented to the customs authorities and undergo the prescribed customs formalities where:

- (a) they have been placed under a customs procedure which is discharged when they enter a free zone or free warehouse; however, where the customs procedure in question permits exemption from the obligation to present goods, such presentation shall not be required;*
- (b) they have been placed in a free zone or free warehouse on the basis of a decision to grant repayment or remission of import duties;*
- (c) they qualify for the measures referred to in Article 166 (b);*
- (d) they enter into a free zone or free warehouse directly from outside the Community customs territory.'*

13. *Article 176 (2) shall be replaced by the following:*

'2. Where goods are transhipped within a free zone, the documents relating to the operation shall be kept at the disposal of the customs authorities. The short-term storage of goods in connection with such transhipment shall be considered to be an integral part of the operation.

*For goods brought into a free zone directly from outside the Community customs territory or out of a free zone directly leaving the Community customs territory, a summary declaration must be lodged in accordance with Articles 36a **to 36c.***

14. *Article 181 shall be replaced by the following:*

'Article 181

*The customs authorities shall satisfy themselves that the rules governing exportation, **outward processing**, re-exportation, **suspensive procedures or the internal transit procedure**, as well as the provisions of Title V, are *observed* where goods are **to leave the customs territory of the Community** from a free zone or free warehouse.'*

Tuesday 20 April 2004

15. In Article 182(3) first sentence the words 're-exportation or' are deleted.

16. Under Title V (Goods leaving the customs territory of the Community) the following Articles shall be inserted:

'Article 182a

1. Goods leaving the customs territory of the Community, with the exception of goods carried on means of transport which are merely passing through the territorial waters or airspace of the customs territory without making a stop within this territory, shall be covered by either a customs declaration or, where a customs declaration is not required, a summary declaration.

2. The committee procedure shall be used to establish:

- **the deadline by which customs declarations or summary declarations must be lodged at the customs office of export before the goods are taken out of the customs territory of the Community;**
- **the rules governing exceptions from and variations of the abovementioned deadline and the conditions under which the requirement for a summary declaration may be waived; and**
- **the cases in which and the conditions under which goods leaving the customs territory of the Community are not subject to either a customs declaration or a summary declaration,**

according to special circumstances and applying to certain types of goods traffic, modes of transport or economic operators or where international agreements provide for special security arrangements.'

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the Official Journal of the European Union.

Article 5a(2), Article 13(2) second subparagraph, Article 36a(4), Article 36b(1) and Article 182a(2) shall apply as from the date of entry into force of this Regulation.

All other provisions shall apply once the implementing provisions for the abovementioned provisions enter into force. However, electronic declaration and automated systems for the implementation of risk management and for the electronic exchange of data between customs offices of entry, import, export and exit, as provided for in Articles 13, 36a, 36b and 36c, must be in place within three years of these provisions becoming applicable.

No later than two years after the provisions become applicable, the Commission shall evaluate any request from a Member State for a deferral of the date specified in the previous paragraph for electronic declaration and automated systems for the implementation of risk management and for the electronic exchange of data between customs offices. The Commission shall submit a report to the European Parliament and the Council and propose, where appropriate, amendment of the date specified in the second sentence of paragraph 3.

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

Tuesday 20 April 2004

P5_TA(2004)0282**European Organisation for the Safety of Air Navigation *****

European Parliament legislative resolution on the proposal for a Council decision on the conclusion by the European Community of the Protocol on the accession of the European Community to the European Organisation for the Safety of Air Navigation (Eurocontrol) (5747/2004 – COM(2003) 555 – C5-0065/2004 – 2003/0214(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2003) 555) ⁽¹⁾,
 - having regard to the Protocol on accession (5747/2004),
 - having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, in conjunction with Article 80(2) of the EC Treaty (C5-0065/2004),
 - having regard to Rules 86 and 97(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Regional Policy, Transport and Tourism (A5-0215/2004),
1. Gives its assent to conclusion of the agreement;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States.

⁽¹⁾ Not yet published in the OJ.

P5_TA(2004)0283**Local border traffic at the external land borders ***

European Parliament legislative resolution on the Commission proposal for adoption of a Council regulation on the establishment of a regime of local border traffic at the external land borders between Member States (COM(2003) 502 – C5-0442/2003 – 2003/0193(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2003) 502) ⁽¹⁾,
- having regard to Article 62 of the EC Treaty,
- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0442/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0142/2004),

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

Article 2, paragraph 2a (new)

2a. This Regulation does not affect the provisions of the final Act of the Agreement on the Accession of the Kingdom of Spain to the Convention implementing the Schengen Agreement of 14 June 1985 in respect of the towns of Ceuta and Melilla.

Amendment 2

Article 3, point (h)

(h) 'Transfrontier workers' means third-country nationals resident in the border area of a neighbouring third country who are employed in the border area of an adjacent Member State and who return to the border area of the neighbouring country each day or at least once **a week**.

(h) 'Transfrontier workers' means third-country nationals resident in the border area of a neighbouring third country who are employed in the border area of an adjacent Member State and who **regularly** return to the border area of the neighbouring country **while pursuing their economic activities**, each day or at least once **every two weeks**.

Amendment 3

Article 6, introductory part

Documents authorising border residents not requiring a visa to cross the external land border of a neighbouring Member State for the purpose of local border traffic **may** be:

Documents authorising border residents not requiring a visa to cross the external land border of a neighbouring Member State for the purpose of local border traffic **shall** be:

Amendment 4

Article 6, point (a)

(a) an identity card specifying the residence in the border area. In case this latter condition is not fulfilled, border residents **may** be requested to carry a residence certificate jointly with the travel document;

(a) an identity card specifying the residence in the border area. In cases where this latter condition is not fulfilled, border residents **shall** be requested to carry a residence certificate jointly with the travel document;

Amendment 5

Article 6, point (b)

(b) **a specific border crossing permit, issued by the State of residence.**

Deleted

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 13

Article 7, paragraph 1

For the purposes of this Regulation, border residents not requiring a visa may stay in the border area of a neighbouring Member State for up to **seven consecutive days**. The total duration of their successive visits in that Member State shall not exceed three months within any half-year period.

For the purposes of this Regulation, border residents not requiring a visa may stay in the border area of a neighbouring Member State for up to **fourteen consecutive days**. The total duration of their successive visits in that Member State shall not exceed three months within any half-year period.

Amendment 6

Article 7, paragraph 2a (new)

Member State authorities may withdraw documents authorising local border traffic if the holder seriously breaches national legislation or the rules laid down in this Regulation.

Amendment 7

Article 9, paragraph 2

The territorial validity of the visa shall be limited to the border area of the issuing Member State.

The territorial validity of the visa shall be limited to the border area of the issuing Member State. **Member States may deviate from the 50 km territorial validity rule if this is justified and the neighbouring state agrees.**

Amendment 8

Article 9, paragraph 3

The visa shall entitle the holder to multiple crossings of the external land border of the issuing Member State and to a stay within the border area of that Member State for up to **seven consecutive days**. The total duration of the successive visits in that Member State shall not exceed three months within any half-year period.

The visa shall entitle the holder to multiple crossings of the external land border of the issuing Member State and to a stay within the border area of that Member State for up to **fourteen consecutive days**. The total duration of the successive visits in that Member State shall not exceed three months within any half-year period. **More favourable treatment shall be given to transfrontier workers, pupils, students and those engaged in vocational training, non-remunerated training or voluntary service.**

Amendment 9

Article 15

The time-limits established in Article 7 and in Article 9 shall not apply to transfrontier workers.

The time-limits established in Article 7 and in Article 9 shall not apply to transfrontier workers, **pupils, students or those engaged in vocational training, non-remunerated training or voluntary service.**

Amendment 10

Article 16, title

Entry and exit **stamps**Entry and exit **controls**

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 11

Article 16

Entry and exit stamps shall **not** be affixed on the travel documents of border residents crossing the external land border of a Member State for the purpose of local border traffic.

Crossing of the border shall be controlled by electronic or magnetic means, so as to ensure compliance with authorised time-limits. In the absence of such measures, until they are introduced, entry and exit stamps shall be affixed on the travel documents of border residents crossing the external land border of a Member State for the purpose of local border traffic.

Amendment 12

Article 18, point (c)

(c) ***authorise border residents to cross their border at places other than authorised border crossing points and outside the fixed hours.***

Deleted

P5_TA(2004)0284

Local border traffic at the temporary external land borders *

European Parliament legislative resolution on the Commission proposal for adoption of a Council regulation on the establishment of a regime of local border traffic at the temporary external land borders between Member States (COM(2003) 502 – C5-0443/2003 – 2003/0194(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2003) 502) ⁽¹⁾,
- having regard to Article 62(2) of the EC Treaty,
- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0443/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0141/2004),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 1

Article 5, paragraph 2, introduction

2. The agreements referred to in paragraph 1 **may** contain provisions for the facilitation of border crossing, whereby Member States:

2. The agreements referred to in paragraph 1 **shall** contain provisions for the facilitation of border crossing, whereby Member States:

Amendment 2

Article 5, paragraph 2, point (c)

(c) **authorise border residents to cross their border at places other than authorised border crossing points and outside the fixed hours.**

Deleted

P5_TA(2004)0285

Web-based information and coordination network *

European Parliament legislative resolution on the proposal for a Council decision establishing a secure web-based Information and Coordination Network for Member States' Migration Management Services (COM(2003) 727 – C5-0612/2003 – 2003/0284(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 727) ⁽¹⁾,
- having regard to Article 66 of the EC Treaty,
- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0612/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0145/2004),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 1

Recital 6a (new)

(6a) In view of its expert and detailed knowledge, Europol should be involved in the web-based information and coordination network. The Commission is called upon to submit a proposal for this purpose no later than one year after the entry into force of this Decision.

Amendment 2

Article 1

This Decision establishes a secure web-based Information and Co-ordination Network for *the exchanges of* information on irregular migration, illegal entry and immigration and the return of illegal residents.

This Decision establishes a secure web-based Information and Co-ordination Network for *exchanging* information on irregular migration, **facilitator networks and networks exploiting illegal immigrant labour**, illegal entry and immigration and the return of illegal residents.

Amendment 3

Article 2, paragraph 1

1. The Commission shall be responsible for the development and management of the network, including the structure **and content** thereof and the elements for information exchange.

1. The Commission shall be responsible for the development and management of the network, including the structure thereof and the elements for information exchange.

Amendment 4

Article 2, paragraph 2, introductory part

2. The information exchange shall include **at least** the following:

2. The information exchange shall include the following:

Amendment 5

Article 2, paragraph 2, point (d)

(d) Return related issues;

(d) Return related issues, **in particular cases of failure to respect the dignity and physical integrity of persons expelled by the authorities responsible for their return;**

Amendment 6

Article 5, paragraph 2a (new)

2a. A procedure shall be provided for to enable the owner of the information regularly to correct or update the data forwarded to the network.

Amendment 7

Article 5, paragraph 4

4. **Without prejudice to** paragraph 3, further security measures shall be adopted by the Commission in accordance with the procedure referred to in Article 6(2).

4. **Insofar as the security measures taken by the Member States are not sufficient to achieve the objectives referred to in** paragraph 3, further security measures shall be adopted by the Commission in accordance with the procedure referred to in Article 6(2).

Tuesday 20 April 2004

P5_TA(2004)0286**Place of supply of services ***

European Parliament legislative resolution on the proposal for a Council directive amending Directive 77/388/EEC as regards the place of supply of services (COM(2003) 822 – C5-0026/2004 – 2003/0329(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 822) ⁽¹⁾,
 - having regard to Article 93 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0026/2004),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0233/2004),
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 Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TA(2004)02102**European Space Agency ***

European Parliament legislative resolution on the proposal for a Council decision on the conclusion of the Framework Agreement between the European Community and the European Space Agency (COM(2004) 85/2 – C5-0099/2004 – 2004/0028(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 85/2) ⁽¹⁾,
- having regard to Article 170 of the EC Treaty, in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof, pursuant to which the Council consulted Parliament (C5-0099/2004),
- having regard to its resolutions of 9 October 2003 ⁽²⁾ on European space policy – Green Paper and of 29 January 2004 ⁽³⁾ on the action plan for implementing the European space policy,
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0222/2004),

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ P5_TA(2003)0427.

⁽³⁾ P5_TA(2004)0054.

Tuesday 20 April 2004

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

P5_TA(2004)0288

European Police College *

European Parliament legislative resolution on the initiative of Ireland with a view to adopting a Council Decision amending Decision 2000/820/JHA establishing a European Police College (CEPOL) (15400/2003 – C5-0001/2004 – 2004/0801(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the initiative by Ireland (15400/2003) ⁽¹⁾,
 - having regard to Articles 30(1)(c) and 34(2)(c) of the EU Treaty,
 - having regard to Article 39(1) of the EU Treaty, pursuant to which the Council consulted Parliament (C5-0001/2004),
 - having regard to Rules 106, 67 and 61(4) of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0140/2004),
1. Approves the initiative by Ireland as amended;
 2. Calls on the Council to alter the text accordingly;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the initiative by Ireland substantially;
 5. Instructs its President to forward its position to the Council and Commission, and the Government of Ireland.

TEXT PROPOSED
BY IRELAND

AMENDMENTS
BY PARLIAMENT

Amendment 1

ARTICLE 1, POINT 2, POINT (b)

Article 5, paragraph 4, point (f) (Decision 2000/820/JHA)

(f) remuneration of members of the secretariat **and/or** reimbursement, in proportion to Member States' contributions, of the costs incurred by the Member State(s) paying the remuneration of members of the secretariat.

(f) remuneration of members of the secretariat **or** reimbursement, in proportion to Member States' contributions, of the costs incurred by the Member State(s) paying the remuneration of members of the secretariat.

⁽¹⁾ OJ C 1, 6.1.2004, p. 8.

Tuesday 20 April 2004

P5_TA(2004)0289

European Police College *

European Parliament legislative resolution on the initiative of the United Kingdom with a view to the adoption of a Council Decision amending Decision 2000/820/JHA establishing a European Police College (CEPOL) (5121/2004 – C5-0040/2004 – 2004/0802(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the initiative by the United Kingdom (5121/2004) ⁽¹⁾,
 - having regard to Articles 30(1)(c) and 34(2)(c) of the EU Treaty,
 - having regard to Article 39(1) of the EU Treaty, pursuant to which the Council consulted Parliament (C5-0040/2004),
 - having regard to Rules 106, 67 and 61(4) of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0140/2004),
1. Approves the initiative by the United Kingdom as amended;
 2. Calls on the Council to alter the text accordingly;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the initiative by the United Kingdom substantially;
 5. Instructs its President to forward its position to the Council and Commission, and the Government of the United Kingdom.

TEXT PROPOSED
BY THE UNITED KINGDOM

AMENDMENTS
BY PARLIAMENT

Amendment 2

ARTICLE 1, POINT 2

Article 4, paragraph 1, subparagraph 1 (Decision 2000/820/JHA)

1. The governing board shall set up a permanent secretariat to assist CEPOL with the administrative tasks necessary for it to function and implement the annual programme and, where appropriate, the additional programmes and initiatives. The **permanent** secretariat **may be set up within one of the national police academies**.

1. The governing board shall set up a permanent secretariat to assist CEPOL with the administrative tasks necessary for it to function and implement the annual programme and, where appropriate, the additional programmes and initiatives. The secretariat **shall have its seat in Bramshill**.

Amendment 3

ARTICLE 1, POINT 2

Article 4, paragraph 1, subparagraph 2 (Decision 2000/820/JHA)

The necessary arrangements concerning the accommodation to be provided for CEPOL in **the United Kingdom** and the facilities to be made available by the United Kingdom as well as

The necessary arrangements concerning the accommodation to be provided for CEPOL in **Bramshill** and the facilities to be made available by the United Kingdom as well as particular

⁽¹⁾ OJ C 20, 24.1.2004, p. 18.

Tuesday 20 April 2004

TEXT PROPOSED
BY THE UNITED KINGDOM

AMENDMENTS
BY PARLIAMENT

particular rules applicable in the United Kingdom to members of CEPOL's organs, its Director, employees and members of their families shall be laid down in a headquarters agreement between CEPOL and the United Kingdom after obtaining the unanimous approval of the governing board.

rules applicable in the United Kingdom to members of CEPOL's organs, its Director, employees and members of their families shall be laid down in a headquarters agreement between CEPOL and the United Kingdom after obtaining the unanimous approval of the governing board.

P5_TA(2004)0290

Appointment of a member of the ECB Executive Board *

European Parliament decision on the draft recommendation of the Council concerning the appointment of Mr José Manuel González-Páramo as a member of the Executive Board of the European Central Bank (6315/2004 – C5-0176/2004 – 2004/0808(CNS))

The European Parliament,

- having regard to the Council's recommendation of 30 March 2004 (6315/2004),
 - having regard to Article 112(2) (b) of the EC Treaty pursuant to which the Council consulted Parliament (C5-0176/2004),
 - having regard to Rule 36 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0273/2004),
1. Delivers a favourable opinion on the appointment of Mr José Manuel González-Páramo as a member of the Executive Board of the European Central Bank;
 2. Instructs its President to forward this decision to the President of the Council, for forwarding to the governments of the Member States.
-

P5_TA(2004)0291

Impact of Community regulations

European Parliament resolution on assessment of the impact of Community legislation and the consultation procedures 2003/2079(INI)

The European Parliament,

- having regard to the Commission communication of 5 June 2002 on impact assessment (COM(2002) 276),
- having regard to the Commission communication of 5 June 2002 on the Action plan 'Simplifying and improving the regulatory environment' (COM(2002) 278),
- having regard to the interinstitutional agreement of 16 December 2003 on better law-making concluded between the European Parliament, the Council and the Commission⁽¹⁾,
- having regard to Rule 163 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0221/2004),

⁽¹⁾ OJ C 321, 31.12.2003, p. 1.

Tuesday 20 April 2004

- A. whereas it is much more costly and complicated to simplify and improve legislation subsequent to an event, rather than to map out the consequences of legislation clearly from the outset and, thus, taking them into account when drawing up legislation,
 - B. whereas effective democratic accountability is only possible if Parliament has sufficient information on the consequences of legislation on social, economic and environmental aspects,
 - C. whereas legislative texts and their explanatory memoranda do frequently provide information on the intended policy objectives, but include no insight into the costs involved in implementing and applying the legislation; whereas such insight can result in a saving of billions of euros in the costs incurred by businesses and individuals, in complying with their statutory duty to supply information to governments, implementing agencies and others, namely, complying with the so-called 'administrative burden'; whereas reducing the administrative burden means making a significant contribution to employment in Europe and the Lisbon objectives,
 - D. whereas the aforementioned interinstitutional agreement accords an important role to impact assessment in improving the quality of legislation; whereas, on this point, the agreement needs fleshing out in greater detail,
 - E. whereas impact assessment should not be limited to quantitative elements such as the cost of the measures, but should also take account of qualitative factors, such as the need for the measures, social requirements, and the safety, health and personal development of individuals,
-
- 1. Notes that the method used at present, namely impact notes, has supplied no information that has been helpful in assessing the consequences and costs of proposed Community legislation; accordingly, welcomes the Commission's initiative to adopt a systematic impact assessment approach of new legislation;
 - 2. Defines impact assessment as a straightforward mapping out of the consequences on social, economic and environmental aspects, as well as a mapping out of the policy alternatives that are available to the legislator in that scenario;
 - 3. Points out that impact assessment is a means by which to improve legislation; considers that an impact assessment is in no way a substitute for the democratic decision-making process; notes, further, that experience in countries where impact assessment is carried out demonstrates that it results in improved legislation and simplifies parliamentary scrutiny;
 - 4. Proposes to allow impact assessment to be carried out on initiatives that the Commission presents in its annual policy strategy or its work programme and on Parliament and Council amendments which will have a substantial impact on social, economic and environmental aspects;
 - 5. Proposes the following procedure to that end:
 - (a) any legislative proposal by the Commission should be accompanied by a global estimate of the costs of such legislation on social, economic and environmental aspects. The estimate will be drawn up by the officials responsible, in consultation with an audit reporting directly to the President of the Commission;
 - (b) the global cost estimate will be monitored by the audit;
 - (c) the Commission, Council and Parliament will lay down, in the context of implementation of the aforementioned interinstitutional agreement, a cost threshold above which an extended impact assessment should be carried out;
 - (d) if it is established that a legislative proposal exceeds the threshold, the Commission officials responsible will assess the impact of the proposed legislation on social, economic and environmental aspects, together with the policy alternatives available to the legislator in that scenario. The process must be monitored by the audit; the result of the investigation will be reported with the legislative proposal;

Tuesday 20 April 2004

- (e) the results of cost assessments and impact assessments will be added to the proposal and published in a central place accessible to all;
 - (f) the Commission will only send Parliament proposals accompanied by a cost assessment and an impact assessment;
 - (g) amendments by Parliament that will have an impact on social, economic and environmental aspects will be submitted for cost assessment to an audit set up with whatever reasonable means Parliament has at its disposal. If it transpires that the amendment exceeds the cost threshold referred to in paragraph (c), the audit will carry out an impact assessment on the amendment. The results of the cost assessment and the impact assessment will be made available to the parliamentary committee responsible and also published in the place referred to in paragraph (e);
 - (h) the Council will follow a comparable procedure, as described in subparagraph (g) and will set up an audit in the Council Secretariat;
6. Points out that the proposed procedure complies with practical experience in countries where impact assessment has been carried out for some considerable time;
7. Points out further that a Community impact assessment only makes sense if the Commission, Council and Parliament operate in accordance with the same system and with the same standards; urges the Commission and Council accordingly to extend the interinstitutional consultation procedure with the aim of reaching agreement before the end of the year on the procedure proposed in paragraph 5;
8. With the aim of limiting the costs of the impact assessment system, calls on the Commission and Council to develop, jointly with Parliament, common criteria for quantifying the expenditure that legislative proposals generate, both in the EU as a whole and within the Member States;
9. Takes note of the aforementioned Commission communication on the Action plan 'Simplifying and improving the regulatory environment'; notes with satisfaction that the Commission is making progress with the simplification of Community legislation; voices the hope that the problems that the Commission has identified can be put right in future; points out that simplification after the event could have been avoided by the consistent application of a proper impact assessment beforehand;
10. Instructs its President to forward this resolution to the Council and the Commission.
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P5_TA(2004)0292

Equal opportunities for the disabled

European Parliament legislative resolution on the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Equal opportunities for people with disabilities: A European Action Plan (COM(2003) 650 – C5-0039/2004 – 2004/2004(INI))

The European Parliament,

- having regard to the Commission communication (COM(2003) 650),
- having regard to the Commission communications on equality of opportunity for people with disabilities (COM(1996) 406) and 'Towards a barrier-free Europe for people with disabilities' (COM(2000) 284),
- having regard to Article 13 of the Treaty of Amsterdam and Declaration No 22 annexed to the final act of that treaty,
- having regard to the Charter of Fundamental Rights of the European Union and in particular Articles 21 and 26 thereof,

Tuesday 20 April 2004

- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation⁽¹⁾,
- having regard to its resolutions of 11 April 1997 on equality of opportunity for people with disabilities⁽²⁾, 18 November 1998 on sign languages⁽³⁾, 15 December 1998 on the evaluation of the Third Community Action Programme to assist disabled persons (HELIOS II)⁽⁴⁾, 4 April 2001 on the Commission communication 'Towards a barrier-free Europe for the disabled'⁽⁵⁾, 15 November 2001 on the proposal for a Council decision on the European Year of People with Disabilities 2003⁽⁶⁾, 3 September 2003 on the Commission communication 'Towards a United Nations legally binding instrument to promote and protect the rights and dignity of persons with disabilities'⁽⁷⁾, and of 9 March 2004 on the situation of women from minority groups in the European Union⁽⁸⁾,
- having regard to the Council resolutions of 20 December 1996 on equal opportunities for people with disabilities⁽⁹⁾, 17 June 1999 on equal employment opportunities for people with disabilities⁽¹⁰⁾, 6 February 2003 'eAccessibility' – Improving the access of people with disabilities to the knowledge-based society⁽¹¹⁾, 5 May 2003 on equal opportunities for pupils and students with disabilities in education and training⁽¹²⁾, 6 May 2003 on accessibility of cultural infrastructure and cultural activities for people with disabilities⁽¹³⁾, 15 July 2003 on promoting the employment and social integration of people with disabilities⁽¹⁴⁾, and having regard to the Council conclusions of 2 and 3 June 2003 on combating stigma and discrimination in relation to mental illness and the Council conclusions of 2 December 2003 on the promotion of equal opportunities for people with disabilities,
- having regard to the Eurobarometer survey 54.2 'Attitudes of Europeans to disability' and the Eurostat report on the employment of disabled people in Europe 2002,
- having regard to the United Nations standard rules for the equalisation of opportunities for persons with disabilities of 1993,
- having regard to the 1989 United Nations Convention on the Rights of the Child and its four guiding principles of non-discrimination, the best interests of the child, the right to life and development and the right to express views and to participation, which must be understood as being interrelated and indivisible,
- having regard to the Madrid Declaration 'Non-discrimination plus positive action results in social inclusion' adopted by 600 representatives of disabled people's organisations from all over Europe at the Congress held by the Spanish Presidency of the European Union,
- having regard to the encouraging results achieved by the 'Corporate Partnership Programme', which has encouraged closer cooperation between the business world and people with disabilities as regards access to products and services and employment,
- having regard to the resolution 'The European Year of People with Disabilities and Beyond: A vision for the future' and the manifesto for the 2004 European Parliament elections adopted by the European Parliament of Disabled People held on 10 and 11 November 2003 and organised by the European Parliament's competent committee in cooperation with the European Disability Forum,
- having regard to the thirteenth Latin American Summit of Heads of State and Government, held in Santa Cruz de la Sierra, Bolivia, on 14 and 15 November 2003, at which the year 2004 was proclaimed Latin American Year of People with Disabilities,

⁽¹⁾ OJ L 303, 2.12.2000, p. 16.

⁽²⁾ OJ C 132, 28.4.1997, p. 313.

⁽³⁾ OJ C 379, 7.12.1998, p. 66.

⁽⁴⁾ OJ C 98, 9.4.1999, p. 35.

⁽⁵⁾ OJ C 21 E, 24.1.2002, p. 246.

⁽⁶⁾ OJ C 140 E, 13.6.2002, p. 599.

⁽⁷⁾ P5_TA(2003)0370.

⁽⁸⁾ P5_TA(2004)0153.

⁽⁹⁾ OJ C 12, 13.1.1997, p. 1.

⁽¹⁰⁾ OJ C 186, 2.7.1999, p. 3.

⁽¹¹⁾ OJ C 39, 18.2.2003, p. 5.

⁽¹²⁾ OJ C 134, 7.6.2003, p. 6.

⁽¹³⁾ OJ C 134, 7.6.2003, p. 7.

⁽¹⁴⁾ OJ C 175, 24.7.2003, p. 1.

Tuesday 20 April 2004

- having regard to its resolution of 18 December 2003 on Petition 842/2001 concerning the effects of discriminatory treatment afforded to persons with multiple sclerosis within the European Union ⁽¹⁾,
 - having regard to the inquiry carried out by the European Ombudsman at the Commission concerning the integration of persons with disabilities, in particular as regards the measures implemented by the Commission to ensure that persons with disabilities are not discriminated against in their relations with the institution,
 - having regard to Council Decision 2003/578/EC of 22 July 2003 on the guidelines for the employment policies of the Member States ⁽²⁾ and Council Recommendation 2003/579/EC of 22 July 2003 on the implementation of Member States' employment policies ⁽³⁾,
 - having regard to the Presidency Conclusions of the Lisbon European Council of 23 and 24 March 2000,
 - having regard to the motion for a resolution by Cristiana Muscardini on travel concessions for disabled people in Europe (B5-0061/2004),
 - having regard to Rules 47(2) and 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Employment and Social Affairs and the opinion of the Committee on Women's Rights and Equal Opportunities (A5-0263/2004),
- A. whereas there will be 50 million people with disabilities in the enlarged European Union with a wide-range of different disabilities,
- B. whereas non-discrimination and the promotion of human rights must be the main focus of the European Union strategy for people with disabilities, as established by Article 13 of the Treaty and by the Charter of Fundamental Rights of the European Union,
- C. whereas the European Ombudsman has taken an initiative to open an inquiry into the measures implemented by the Commission to ensure that persons with disabilities are not discriminated against in their relations with the institution,
- D. whereas disability should be seen from a social rather than a medical standpoint, recognising that persons with disabilities are citizens with equal rights,
- E. whereas effective political action on disability-related questions should be based on the universal values of respect for rights, equal opportunities and the dignity of all citizens, to which all democratic political forces should make a positive contribution,
- F. whereas disabled women are often victims of multiple forms of discrimination,
1. Welcomes the greater awareness at European and national level as regards non-discrimination and the human rights of people with disabilities and the development of partnerships between disabled persons' associations and those involved in political, economic, social and cultural life, following the initiatives adopted during the 2003 European Year of People with Disabilities; believes that the positive results obtained should be incorporated into the European Union's policies and consolidated through appropriate political and legislative initiatives;
2. Welcomes the Commission's communication on the follow-up to the 2003 European Year of People with Disabilities and, in particular, its adoption of a European Action Plan for People with Disabilities; regrets, however, the overemphasis and rather narrow focus of the Action Plan on employment and education policy given the fact that for disabled persons to experience real equality and social inclusion attention must be given to all areas of life; believes that the communication should stress the need to consolidate the results obtained so as to lay firm foundations for future work; regrets that the Commission communication does not include an integrated gender perspective nor a separate chapter on gender specific disability policies; calls on the Commission to integrate the gender perspective and specific information on women with disabilities in the successive phases of its action plan; calls respectively on the Council, the Commission and the Member States to introduce gender mainstreaming into all disability policies;

⁽¹⁾ P5_TA(2003)0601.

⁽²⁾ OJ L 197, 5.8.2003, p. 13.

⁽³⁾ OJ L 197, 5.8.2003, p. 22.

Tuesday 20 April 2004

3. Regrets the absence of legislative proposals in the Action Plan — in particular a directive to combat discrimination based on disabilities, extending to all sectors of European Union competence and designed once and for all to remove all barriers to participation in community life by people with disabilities and to allow them genuinely to enjoy full citizenship — despite the repeated calls made by the European Parliament on this matter and the debate launched by the Italian Presidency of the European Union concerning an anti-discrimination directive; recalls the Commission's commitment to such a directive;
4. Regrets that no attention has been given in the Action Plan proposals for the need to give particular support to organisations of disabled persons in enlargement countries to assist them in the transition process of accession;
5. Calls on the Commission to include in its forthcoming Green Paper on future strategy on non-discrimination, and in its new social policy agenda, a timetable for the submission of a directive to combat discrimination based on disabilities in those areas not covered by Directive 2000/78/EC; calls on the EU and the Member States to develop statistics on the situation of disabled people, broken down by gender. A study should be undertaken if any legislation in the Member States concerning disabled people discriminates against disabled women and girls;
6. Calls on Member States which have not yet done so to transpose Directive 2000/78/EC fully as soon as possible, to inform those to whom it is addressed and to develop training measures for those responsible for its implementation, including judges; welcomes the intention expressed by the Commission to penalise failure to transpose the Directive into national law;
7. Considers that the future treaty establishing a constitution for Europe must provide for stronger measures to make it possible to combat discrimination and promote respect for human rights and opportunities for people with disabilities, and especially those with a high degree of dependency and/or who are unable to represent themselves unaided, with due regard for the model of a social Europe based on the principle of solidarity; calls on the Member States to make greater use of qualified majority voting and the codecision procedure for the adoption of legislative measures designed to combat discrimination;
8. Reaffirms its support for a United Nations convention on the human rights of people with disabilities and calls on the Member States actively to promote such a convention, based on the European Parliament report, to ensure that people with disabilities can fully exercise their human rights;
9. Recalls that disabled women have been victims of serious violation of their fundamental rights, including the right of self-determination as they have been denied their sexual and reproductive rights. Calls on the Commission and the Member States to take vigorous measures against all forms of violence against disabled women; calls on the Commission to focus particularly on combating violence against women with disabilities within the framework of the Daphne programme and to introduce measures to remedy the general lack of information and facilitate access to sexual and reproductive health services for women with disabilities; urges the Member States to introduce legislation to protect the rights of disabled women in cases of sexual abuse and violence and to take action in development cooperation to protect women from genital mutilation, which is to be considered as a crime in accordance with the Platform for Action of the UN Conference on Women;
10. Stresses the importance of the biennial report on people with disabilities as an instrument for encouraging greater awareness of the situation in the Member States of the European Union and for promoting good practice; considers that the contributions of the Member States should be based on common guidelines to allow for benchmarking, paying special attention to the situation of people with disabilities in the countries about to join the European Union; stresses the importance of actively involving disabled people's organisations in the decision-making process at national and European level;
11. Calls on the Commission to submit the biennial report on the situation of people with disabilities to the European Parliament, the Council, the Social Protection Committee and the Employment Committee; calls on the Employment and Social Policy Council to include consideration of the report on its agenda;

Tuesday 20 April 2004

12. Welcomes the Commission's undertaking to submit a working paper on the implementation of the European employment strategy with respect to disabled persons; also calls on the Commission to draw up firm recommendations to the Member States to be included in the next joint report on employment;

13. Calls on the Member States and the Commission to follow up the Council conclusions of 2 December 2003 on equal opportunities for people with disabilities, particularly as regards the need to pay special attention in the biennial report 2005 to promoting quality of life for disabled people with a high degree of dependency and/or unable to represent themselves unaided and their families and to quality services that encourage the independence of people with disabilities and respect for their rights;

14. Considers that the future ESF Regulation should encourage specific measures in the area of disabilities, with particular emphasis on persons with a high degree of dependency and/or unable to represent themselves unaided, encouraging quality training and rehabilitation, while at the same time ensuring that disability issues are mainstreamed into the various objectives; calls also on the Commission to include a disabled access requirement in the Structural Fund rules governing the funding of infrastructure or building projects and for training modules funded by the European Structural Fund, including training in new information and telecommunications technologies;

15. Welcomes the inclusion in the Commission action plan of measures to improve accessibility to information technologies and the built environment, as well as the commitment to promote the principle of 'design for all' in Community policies in the built environment; considers, nevertheless, that, in order to obtain tangible results, a more ambitious strategy must be developed; calls for the recommendations of the EU expert report on 'Accessibility for All' to be implemented without delay, including the revision of Construction Products Directive to require mandatory accessibility standards; thereby calls for EU measures to be accompanied together with an appropriate legislative framework laying down common rules on accessibility to goods, services and infrastructures and accompanied by incentives for business and the promotion of public/private partnerships;

16. Furthermore, recalls that assistive technologies, while playing an important role in facilitating the independence of persons with disabilities, can be prohibitively expensive for many disabled persons; many assistive devices are difficult to obtain, maintain and repair; recalls the failure of the Handynet programme to meet the real needs of disabled persons and emphasises the need for EU policy to devote attention more specifically to furthering design-for-all policies;

17. Welcomes the adoption of rules on the accessibility of services, products and supplies in the new directives on public contracts recently adopted by the European Parliament and the Council; calls on the Commission to draw up guidelines for public bodies and local authorities to ensure that these rules are fully applied;

18. Welcomes the Commission proposal to encourage exchanges of good practice and identify factors of success or failure in relation to the full integration of people with disabilities in education and training; proposes that a working group be set up comprising representatives of the Member States, disabled people's organisations, training and education experts, representatives of the two sides of industry, producers in the field of new technologies and other stakeholders;

19. Stresses the importance of the pilot project to follow up the 2003 European Year of People with Disabilities adopted in the European Parliament 2004 budget in order to promote mainstreaming of disability issues in the various European policies and encourage the development of partnerships between disabled people's organisations and leading figures in economic, social and cultural life and the media; calls on the Commission to submit a proposal for a specific action programme with effect from the 2005 budget;

20. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

Tuesday 20 April 2004

P5_TA(2004)0293

Coordination of social security systems *II**

European Parliament legislative resolution on the common position adopted by the Council with a view to the adoption of a European Parliament and Council regulation on the coordination of social security systems (15577/6/2003 – C5-0043/2004 – 1998/0360(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15577/6/2003 – C5-0043/2004) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(1998) 779) ⁽³⁾,
- having regard to the amended proposal (COM(2003) 596) ⁽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 Employment and Social Affairs (A5-0234/2004),

1. Amends the common position as follows;
2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 79 E, 30.3.2004, p. 15.

⁽²⁾ Texts Adopted, 3.9.2003, P5_TA(2003)0366.

⁽³⁾ OJ C 38, 12.2.1999, p. 10.

⁽⁴⁾ Not yet published in the OJ.

P5_TC2-COD(1998)0360

Position of the European Parliament adopted at second reading on 20 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 on the coordination of social security systems

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 308 thereof,

Having regard to the proposal from the Commission presented after consultation with the social partners and the Administrative Commission on Social Security for Migrant Workers ⁽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⁾,

⁽¹⁾ OJ C 38, 12.2.1999, p. 10 and OJ C ... (proposal).

⁽²⁾ OJ C 75, 15.3.2000, p. 29.

⁽³⁾ Opinion of the European Parliament of 3 September 2003 (not yet published in the Official Journal), Council Common Position of 26 January 2004 (OJ C 79 E, 30.3.2004, p. 15) and Position of the European Parliament of 20 April 2004.

Tuesday 20 April 2004

Whereas:

- (1) The rules for coordination of national social security systems fall within the framework of free movement of persons and should contribute towards improving their standard of living and conditions of employment.
- (2) The Treaty does not provide powers other than those of Article 308 to take appropriate measures within the field of social security for persons other than employed persons.
- (3) Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community⁽¹⁾ has been amended and updated on numerous occasions in order to take into account not only developments at Community level, including judgments of the Court of Justice, but also changes in legislation at national level. Such factors have played their part in making the Community coordination rules complex and lengthy. Replacing, while modernising and simplifying, these rules is therefore essential to achieve the aim of the free movement of persons.
- (4) It is necessary to respect the special characteristics of national social security legislation and to draw up only a system of coordination.
- (5) It is necessary, within the framework of such coordination, to guarantee within the Community equality of treatment under the different national legislation for the persons concerned.
- (6) The close link between social security legislation and those contractual provisions which complement or replace such legislation and which have been the subject of a decision by the public authorities rendering them compulsory or extending their scope may call for similar protection with regard to the application of those provisions to that afforded by this Regulation. As a first step, the experience of Member States who have notified such schemes might be evaluated.
- (7) Due to the major differences existing between national legislation in terms of the persons covered, it is preferable to lay down the principle that this Regulation is to apply to nationals of a Member State, stateless persons and refugees resident in the territory of a Member State who are or have been subject to the social security legislation of one or more Member States, as well as to the members of their families and to their survivors.
- (8) The general principle of equal treatment is of particular importance for workers who do not reside in the Member State of their employment, including frontier workers.
- (9) The Court of Justice has on several occasions given an opinion on the possibility of equal treatment of benefits, income and facts; this principle should be adopted explicitly and developed, while observing the substance and spirit of legal rulings.
- (10) However, the principle of treating certain facts or events occurring in the territory of another Member State as if they had taken place in the territory of the Member State whose legislation is applicable should not interfere with the principle of aggregating periods of insurance, employment, self-employment or residence completed under the legislation of another Member State with those completed under the legislation of the competent Member State. Periods completed under the legislation of another Member State should therefore be taken into account solely by applying the principle of aggregation of periods.
- (11) The assimilation of facts or events occurring in a Member State can in no way render another Member State competent or its legislation applicable.
- (12) In the light of proportionality, care should be taken to ensure that the principle of assimilation of facts or events does not lead to objectively unjustified results or to the overlapping of benefits of the same kind for the same period.

⁽¹⁾ OJ L 149, 5.7.1971, p. 2. Regulation as last amended by Regulation (EC) No 1386/2001 of the European Parliament and of the Council (OJ L 187, 10.7.2001, p. 1).

Tuesday 20 April 2004

- (13) The coordination rules must guarantee that persons moving within the Community and their dependants and survivors retain the rights and the advantages acquired and in the course of being acquired.
- (14) These objectives must be attained in particular by aggregating all the periods taken into account under the various national legislation for the purpose of acquiring and retaining the right to benefits and of calculating the amount of benefits, and by providing benefits for the various categories of persons covered by this Regulation.
- (15) It is necessary to subject persons moving within the Community to the social security scheme of only one single Member State in order to avoid overlapping of the applicable provisions of national legislation and the complications which could result therefrom.
- (16) Within the Community there is in principle no justification for making social security rights dependent on the place of residence of the person concerned; nevertheless, in specific cases, in particular as regards special benefits linked to the economic and social context of the person involved, the place of residence could be taken into account.
- (17) With a view to guaranteeing the equality of treatment of all persons occupied in the territory of a Member State as effectively as possible, it is appropriate to determine as the legislation applicable, as a general rule, that of the Member State in which the person concerned pursues his activity as an employed or self-employed person.
- (18) In specific situations which justify other criteria of applicability, it is necessary to derogate from that general rule.
- (19) In some cases, maternity and equivalent paternity benefits may be enjoyed by the mother or the father and since, for the latter, these benefits are different from parental benefits and can be assimilated to maternity benefits *strictu sensu* in that they are provided during the first months of a newborn child's life, it is appropriate that maternity and equivalent paternity benefits be regulated jointly.
- (20) In the field of sickness, maternity and equivalent paternity benefits, insured persons, as well as the members of their families, living or staying in a Member State other than the competent Member State, should be afforded protection.
- (21) Provisions on sickness, maternity and equivalent paternity benefits were drawn up in the light of Court of Justice case-law. Provisions on prior authorisation have been improved, taking into account the relevant decisions of the Court of Justice.
- (22) The specific position of pension claimants and pensioners and the members of their families makes it necessary to have provisions governing sickness insurance adapted to this situation.
- (23) In view of the differences between the various national systems, it is appropriate that Member States make provision, where possible, for medical treatment for family members of frontier workers in the Member State where the latter pursue their activity.
- (24) It is necessary to establish specific provisions regulating the non-overlapping of sickness benefits in kind and sickness benefits in cash which are of the same nature as those which were the subject of the judgments of the Court of Justice in Cases C-215/99 *Jauch* and C-160/96 *Molenaar*, provided that those benefits cover the same risk.
- (25) In respect of benefits for accidents at work and occupational diseases, rules should be laid down, for the purpose of affording protection, covering the situation of persons residing or staying in a Member State other than the competent Member State.
- (26) For invalidity benefits, a system of coordination should be drawn up which respects the specific characteristics of national legislation, in particular as regards recognition of invalidity and aggravation thereof.

Tuesday 20 April 2004

- (27) It is necessary to devise a system for the award of old-age benefits and survivors' benefits where the person concerned has been subject to the legislation of one or more Member States.
- (28) There is a need to determine the amount of a pension calculated in accordance with the method used for aggregation and pro-rata calculation and guaranteed by Community law where the application of national legislation, including rules concerning reduction, suspension or withdrawal, is less favourable than the aforementioned method.
- (29) To protect migrant workers and their survivors against excessively stringent application of the national rules concerning reduction, suspension or withdrawal, it is necessary to include provisions strictly governing the application of such rules.
- (30) As has constantly been reaffirmed by the Court of Justice, the Council is not deemed competent to enact rules imposing a restriction on the overlapping of two or more pensions acquired in different Member States by a reduction of the amount of a pension acquired solely under national legislation.
- (31) According to the Court of Justice, it is for the national legislature to enact such rules, bearing in mind that it is for the Community legislature to fix the limits within which the national provisions concerning reduction, suspension or withdrawal are to be applied.
- (32) In order to foster mobility of workers, it is particularly appropriate to facilitate the search for employment in the various Member States; it is therefore necessary to ensure closer and more effective coordination between the unemployment insurance schemes and the employment services of all the Member States.
- (33) It is necessary to include statutory pre-retirement schemes within the scope of this Regulation, thus guaranteeing both equal treatment and the possibility of exporting pre-retirement benefits as well as the award of family and health-care benefits to the person concerned, in accordance with the provisions of this Regulation; however, the rule on the aggregation of periods should not be included, as only a very limited number of Member States have statutory pre-retirement schemes.
- (34) Since family benefits have a very broad scope, affording protection in situations which could be described as classic as well as in others which are specific in nature, with the latter type of benefit having been the subject of the judgments of the Court of Justice in Joined Cases C-245/94 and C-312/94 *Hoever and Zachow* and in Case C-275/96 *Kuusijärvi*, it is necessary to regulate all such benefits.
- (35) In order to avoid unwarranted overlapping of benefits, there is a need to lay down rules of priority in the case of overlapping of rights to family benefits under the legislation of the competent Member State and under the legislation of the Member State of residence of the members of the family.
- (36) Advances of maintenance allowances are recoverable advances intended to compensate for a parent's failure to fulfil his legal obligation of maintenance to his own child, which is an obligation derived from family law. Therefore, these advances should not be considered as a direct benefit from collective support in favour of families. Given these particularities, the coordinating rules should not be applied to such maintenance allowances.
- (37) As the Court of Justice has repeatedly stated, provisions which derogate from the principle of the exportability of social security benefits must be interpreted strictly. This means that they can apply only to benefits which satisfy the specified conditions. It follows that Chapter 9 of Title III of this Regulation can apply only to benefits which are both special and non-contributory and listed in Annex X to this Regulation.
- (38) It is necessary to establish an Administrative Commission consisting of a government representative from each Member State, charged in particular with dealing with all administrative questions or questions of interpretation arising from the provisions of this Regulation, and with promoting further cooperation between the Member States.

Tuesday 20 April 2004

- (39) The development and use of data-processing services for the exchange of information has been found to require the creation of a Technical Commission, under the aegis of the Administrative Commission, with specific responsibilities in the field of data-processing.
- (40) The use of data-processing services for exchanging data between institutions requires provisions guaranteeing that the documents exchanged or issued by electronic means are accepted as equivalent to paper documents. Such exchanges are to be carried out in accordance with the Community provisions on the protection of natural persons with regard to the processing and free movement of personal data.
- (41) It is necessary to lay down special provisions which correspond to the special characteristics of national legislation in order to facilitate the application of the rules of coordination.
- (42) In line with the principle of proportionality, in accordance with the premise for the extension of this Regulation to all European Union citizens and in order to find a solution that takes account of any constraints which may be connected with the special characteristics of systems based on residence, a special derogation by means of an Annex XI — 'DENMARK' entry, limited to social pension entitlement exclusively in respect of the new category of non-active persons, to whom this Regulation has been extended, was deemed appropriate due to the specific features of the Danish system and in the light of the fact that those pensions are exportable after a ten-year period of residence under the Danish legislation in force (Pension Act).
- (43) In line with the principle of equality of treatment, a special derogation by means of an Annex XI — 'FINLAND' entry, limited to residence-based national pensions, is deemed appropriate due to the specific characteristics of Finnish social security legislation, the objective of which is to ensure that the amount of the national pension cannot be less than the amount of the national pension calculated as if all insurance periods completed in any Member State were completed in Finland.
- (44) It is necessary to introduce a new Regulation to repeal Regulation (EEC) No 1408/71. However, it is necessary that Regulation (EEC) No 1408/71 remain in force and continue to have legal effect for the purposes of certain Community acts and agreements to which the Community is a party, in order to secure legal certainty.
- (45) Since the objective of the proposed action, namely the coordination measures to guarantee that the right to free movement of persons can be exercised effectively, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of that action, be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that article, this Regulation does not go beyond what is necessary, in order to achieve that objective,

HAVE ADOPTED THIS REGULATION:

TITLE I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Regulation:

- (a) 'activity as an employed person' means any activity or equivalent situation treated as such for the purposes of the social security legislation of the Member State in which such activity or equivalent situation exists;

Tuesday 20 April 2004

- (b) 'activity as a self-employed person' means any activity or equivalent situation treated as such for the purposes of the social security legislation of the Member State in which such activity or equivalent situation exists;
- (c) 'insured person', in relation to the social security branches covered by Title III, Chapters 1 and 3, means any person satisfying the conditions required under the legislation of the Member State competent under Title II to have the right to benefits, taking into account the provisions of this Regulation;
- (d) 'civil servant' means a person considered to be such or treated as such by the Member State to which the administration employing him is subject;
- (e) 'special scheme for civil servants' means any social security scheme which is different from the general social security scheme applicable to employed persons in the Member State concerned and to which all, or certain categories of, civil servants are directly subject;
- (f) 'frontier worker' means any person pursuing an activity as an employed or self-employed person in a Member State and who resides in another Member State to which he returns as a rule daily or at least once a week;
- (g) 'refugee' shall have the meaning assigned to it in Article 1 of the Convention relating to the Status of Refugees, signed in Geneva on 28 July 1951;
- (h) 'stateless person' shall have the meaning assigned to it in Article 1 of the Convention relating to the Status of Stateless Persons, signed in New York on 28 September 1954;
- (i) 'member of the family' means
 - 1) (i) any person defined or recognised as a member of the family or designated as a member of the household by the legislation under which benefits are provided;
 - (ii) with regard to benefits in kind pursuant to Title III, Chapter 1 on sickness, maternity and equivalent paternity benefits, any person defined or recognised as a member of the family or designated as a member of the household by the legislation of the Member State in which he resides;
 - (2) If the legislation of a Member State which is applicable under subparagraph (1) does not make a distinction between the members of the family and other persons to whom it is applicable, the spouse, minor children, and dependent children who have reached the age of majority shall be considered members of the family;
 - (3) If, under the legislation which is applicable under subparagraphs (1) and (2), a person is considered a member of the family or member of the household only if he lives in the same household as the insured person or pensioner, this condition shall be considered satisfied if the person in question is mainly dependent on the insured person or pensioner;
- (j) 'residence' means the place where a person habitually resides;
- (k) 'stay' means temporary residence;
- (l) 'legislation' means, in respect of each Member State, laws, regulations and other statutory provisions and all other implementing measures relating to the social security branches covered by Article 3(1);

This term excludes contractual provisions other than those which serve to implement an insurance obligation arising from the laws and regulations referred to in the preceding subparagraph or which have been the subject of a decision by the public authorities which makes them obligatory or extends their scope, provided that the Member State concerned makes a declaration to that effect, notified to the President of the European Parliament and the President of the Council of the European Union. Such declaration shall be published in the Official Journal of the European Union;
- (m) 'competent authority' means, in respect of each Member State, the Minister, Ministers or other equivalent authority responsible for social security schemes throughout or in any part of the Member State in question;

Tuesday 20 April 2004

- (n) 'Administrative Commission' means the commission referred to in Article 71;
- (o) 'Implementing Regulation' means the Regulation referred to in Article 89;
- (p) 'institution' means, in respect of each Member State, the body or authority responsible for applying all or part of the legislation;
- (q) 'competent institution' means:
 - (i) the institution with which the person concerned is insured at the time of the application for benefit; or
 - (ii) the institution from which the person concerned is or would be entitled to benefits if he or a member or members of his family resided in the Member State in which the institution is situated; or
 - (iii) the institution designated by the competent authority of the Member State concerned; or
 - (iv) in the case of a scheme relating to an employer's obligations in respect of the benefits set out in Article 3(1), either the employer or the insurer involved or, in default thereof, the body or authority designated by the competent authority of the Member State concerned;
- (r) 'institution of the place of residence' and 'institution of the place of stay' mean respectively the institution which is competent to provide benefits in the place where the person concerned resides and the institution which is competent to provide benefits in the place where the person concerned is staying, in accordance with the legislation administered by that institution or, where no such institution exists, the institution designated by the competent authority of the Member State concerned;
- (s) 'competent Member State' means the Member State in which the competent institution is situated;
- (t) 'period of insurance' means periods of contribution, employment or self-employment as defined or recognised as periods of insurance by the legislation under which they were completed or considered as completed, and all periods treated as such, where they are regarded by the said legislation as equivalent to periods of insurance;
- (u) 'period of employment' or 'period of self-employment' mean periods so defined or recognised by the legislation under which they were completed, and all periods treated as such, where they are regarded by the said legislation as equivalent to periods of employment or to periods of self-employment;
- (v) 'period of residence' means periods so defined or recognised by the legislation under which they were completed or considered as completed;
- (w) 'pension' covers not only pensions but also lump-sum benefits which can be substituted for them and payments in the form of reimbursement of contributions and, subject to the provisions of Title III, revaluation increases or supplementary allowances;
- (x) 'pre-retirement benefit' means: all cash benefits, other than an unemployment benefit or an early old-age benefit, provided from a specified age to workers who have reduced, ceased or suspended their remunerative activities until the age at which they qualify for an old-age pension or an early retirement pension, the receipt of which is not conditional upon the person concerned being available to the employment services of the competent State; 'early old-age benefit' means a benefit provided before the normal pension entitlement age is reached and which either continues to be provided once the said age is reached or is replaced by another old-age benefit;
- (y) 'death grant' means any one-off payment in the event of death excluding the lump-sum benefits referred to in subparagraph (w);
- (z) 'family benefit' means all benefits in kind or in cash intended to meet family expenses, excluding advances of maintenance payments and special childbirth and adoption allowances mentioned in Annex I.

Tuesday 20 April 2004

Article 2

Persons covered

1. This Regulation shall apply to nationals of a Member State, stateless persons and refugees residing in a Member State who are or have been subject to the legislation of one or more Member States, as well as to the members of their families and to their survivors.
2. It shall also apply to the survivors of persons who have been subject to the legislation of one or more Member States, irrespective of the nationality of such persons, where their survivors are nationals of a Member State or stateless persons or refugees residing in one of the Member States.

Article 3

Matters covered

1. This Regulation shall apply to all legislation concerning the following branches of social security:
 - (a) sickness benefits;
 - (b) maternity and equivalent paternity benefits;
 - (c) invalidity benefits;
 - (d) old-age benefits;
 - (e) survivors' benefits;
 - (f) benefits in respect of accidents at work and occupational diseases;
 - (g) death grants;
 - (h) unemployment benefits;
 - (i) pre-retirement benefits;
 - (j) family benefits.
2. Unless otherwise provided for in Annex XI, this Regulation shall apply to general and special social security schemes, whether contributory or non-contributory, and to schemes relating to the obligations of an employer or shipowner.
3. This Regulation shall also apply to the special non-contributory cash benefits covered by Article 70.
4. The provisions of Title III of this Regulation shall not, however, affect the legislative provisions of any Member State concerning a shipowner's obligations.
5. This Regulation shall not apply to social and medical assistance or to benefit schemes for victims of war or its consequences.

Article 4

Equality of treatment

Unless otherwise provided for by this Regulation, persons to whom this Regulation applies shall enjoy the same benefits and be subject to the same obligations under the legislation of any Member State as the nationals thereof.

Tuesday 20 April 2004

Article 5

Equal treatment of benefits, income, facts or events

Unless otherwise provided for by this Regulation and in the light of the special implementing provisions laid down, the following shall apply:

- (a) where, under the legislation of the competent Member State, the receipt of social security benefits and other income has certain legal effects, the relevant provisions of that legislation shall also apply to the receipt of equivalent benefits acquired under the legislation of another Member State or to income acquired in another Member State;
- (b) where, under the legislation of the competent Member State, legal effects are attributed to the occurrence of certain facts or events, that Member State shall take account of like facts or events occurring in any Member State as though they had taken place in its own territory.

Article 6

Aggregation of periods

Unless otherwise provided for by this Regulation, the competent institution of a Member State whose legislation makes:

- the acquisition, retention, duration or recovery of the right to benefits,
- the coverage by legislation, or
- the access to or the exemption from compulsory, optional continued or voluntary insurance,

conditional upon the completion of periods of insurance, employment, self-employment or residence shall, to the extent necessary, take into account periods of insurance, employment, self-employment or residence completed under the legislation of any other Member State as though they were periods completed under the legislation which it applies.

Article 7

Waiving of residence rules

Unless otherwise provided for by this Regulation, cash benefits payable under the legislation of one or more Member States or under this Regulation shall not be subject to any reduction, amendment, suspension, withdrawal or confiscation on account of the fact that the beneficiary or the members of his family reside in a Member State other than that in which the institution responsible for providing benefits is situated.

Article 8

Relations between this Regulation and other coordination instruments

1. This Regulation shall replace any social security convention applicable between Member States falling under its scope. Certain provisions of social security conventions entered into by the Member States before the date of application of this Regulation shall, however, continue to apply provided that they are more favourable to the beneficiaries or if they arise from specific historical circumstances and their effect is limited in time. For these provisions to remain applicable, they shall be included in Annex II. If, on objective grounds, it is not possible to extend some of these provisions to all persons to whom the Regulation applies this shall be specified.

2. Two or more Member States may, as the need arises, conclude conventions with each other based on the principles of this Regulation and in keeping with the spirit thereof.

Tuesday 20 April 2004

Article 9

Declarations by the Member States on the scope of this Regulation

1. The Member States shall notify the Commission of the European Communities in writing of the declarations referred to in Article 1(l), the legislation and schemes referred to in Article 3, the conventions entered into as referred to in Article 8(2) and the minimum benefits referred to in Article 58, as well as substantive amendments made subsequently. Such notifications shall indicate the date of entry into force of the laws and schemes in question or, in the case of the declarations provided for in Article 1(l), the date from which this Regulation will apply to the schemes specified in the declarations by the Member States.
2. These notifications shall be submitted to the Commission of the European Communities every year and published in the Official Journal of the European Union.

Article 10

Prevention of overlapping of benefits

Unless otherwise specified, this Regulation shall neither confer nor maintain the right to several benefits of the same kind for one and the same period of compulsory insurance.

TITLE II

DETERMINATION OF THE LEGISLATION APPLICABLE

Article 11

General rules

1. Persons to whom this Regulation applies shall be subject to the legislation of a single Member State only. Such legislation shall be determined in accordance with this Title.
2. For the purposes of this Title, persons receiving cash benefits because or as a consequence of their activity as an employed or self-employed person shall be considered to be pursuing the said activity. This shall not apply to invalidity, old-age or survivors' pensions or to pensions in respect of accidents at work or occupational diseases or to sickness benefits in cash covering treatment for an unlimited period.
3. Subject to Articles 12 to 16:
 - (a) a person pursuing an activity as an employed or self-employed person in a Member State shall be subject to the legislation of that Member State;
 - (b) a civil servant shall be subject to the legislation of the Member State to which the administration employing him is subject;
 - (c) a person receiving unemployment benefits in accordance with Article 65 under the legislation of the Member State of residence shall be subject to the legislation of that Member State;
 - (d) a person called up or recalled for service in the armed forces or for civilian service in a Member State shall be subject to the legislation of that Member State;
 - (e) any other person to whom subparagraphs (a) to (d) do not apply shall be subject to the legislation of the Member State of residence, without prejudice to other provisions of this Regulation guaranteeing him benefits under the legislation of one or more other Member States.
4. For the purposes of this Title, an activity as an employed or self-employed person normally pursued on board a vessel at sea flying the flag of a Member State shall be deemed to be an activity pursued in the said Member State. However, a person employed on board a vessel flying the flag of a Member State and

Tuesday 20 April 2004

remunerated for such activity by an undertaking or a person whose registered office or place of business is in another Member State shall be subject to the legislation of the latter Member State if he resides in that State. The undertaking or person paying the remuneration shall be considered as the employer for the purposes of the said legislation.

Article 12

Special rules

1. A person who pursues an activity as an employed person in a Member State on behalf of an employer which normally carries out its activities there and who is posted by that employer to another Member State to perform work on that employer's behalf shall continue to be subject to the legislation of the first Member State, provided that the anticipated duration of such work does not exceed twenty-four months and that he is not sent to replace another person.

2. A person who normally pursues an activity as a self-employed person in a Member State who goes to pursue a similar activity in another Member State shall continue to be subject to the legislation of the first Member State, provided that the anticipated duration of such activity does not exceed twenty-four months.

Article 13

Pursuit of activities in two or more Member States

1. A person who normally pursues an activity as an employed person in two or more Member States shall be subject to:

- (a) the legislation of the Member State of residence if he pursues a substantial part of his activity in that Member State or if he is employed by various undertakings or various employers whose registered office or place of business is in different Member States, or
- (b) the legislation of the Member State in which the registered office or place of business of the undertaking or employer employing him is situated, if he does not pursue a substantial part of his activities in the Member State of residence.

2. A person who normally pursues an activity as a self-employed person in two or more Member States shall be subject to:

- (a) the legislation of the Member State of residence if he pursues a substantial part of his activity in that Member State; or
- (b) the legislation of the Member State in which the centre of interest of his activities is situated, if he does not reside in one of the Member States in which he pursues a substantial part of his activity.

3. A person who normally pursues an activity as an employed person and an activity as a self-employed person in different Member States shall be subject to the legislation of the Member State in which he pursues an activity as an employed person or, if he pursues such an activity in two or more Member States, to the legislation determined in accordance with paragraph 1.

4. A person who is employed as a civil servant by one Member State and who pursues an activity as an employed person and/or as a self-employed person in one or more other Member States shall be subject to the legislation of the Member State to which the administration employing him is subject.

5. Persons referred to in paragraphs 1 to 4 shall be treated, for the purposes of the legislation determined in accordance with these provisions, as though they were pursuing all their activities as employed or self-employed persons and were receiving all their income in the Member State concerned.

Article 14

Voluntary insurance or optional continued insurance

1. Articles 11 to 13 shall not apply to voluntary insurance or to optional continued insurance unless, in respect of one of the branches referred to in Article 3(1), only a voluntary scheme of insurance exists in a Member State.

Tuesday 20 April 2004

2. Where, by virtue of the legislation of a Member State, the person concerned is subject to compulsory insurance in that Member State, he may not be subject to a voluntary insurance scheme or an optional continued insurance scheme in another Member State. In all other cases in which, for a given branch, there is a choice between several voluntary insurance schemes or optional continued insurance schemes, the person concerned shall join only the scheme of his choice.

3. However, in respect of invalidity, old age and survivors' benefits, the person concerned may join the voluntary or optional continued insurance scheme of a Member State, even if he is compulsorily subject to the legislation of another Member State, provided that he has been subject, at some stage in his career, to the legislation of the first Member State because or as a consequence of an activity as an employed or self-employed person and if such overlapping is explicitly or implicitly allowed under the legislation of the first Member State.

4. If the legislation of any Member State makes admission to voluntary insurance or optional continued insurance conditional upon residence in that Member State, the equal treatment of residence in another Member State as provided under Article 5(b) shall apply only to persons who have been subject, at some earlier stage, to the legislation of the first Member State on the basis of an activity as an employed or self-employed person.

Article 15

Auxiliary staff of the European Communities

Auxiliary staff of the European Communities may opt to be subject to the legislation of the Member State in which they are employed, to the legislation of the Member State to which they were last subject or to the legislation of the Member State whose nationals they are, in respect of provisions other than those relating to family allowances, provided under the scheme applicable to such staff. This right of option, which may be exercised once only, shall take effect from the date of entry into employment.

Article 16

Exceptions to Articles 11 to 15

1. Two or more Member States, the competent authorities of these Member States or the bodies designated by these authorities may by common agreement provide for exceptions to Articles 11 to 15 in the interest of certain persons or categories of persons.

2. A person who receives a pension or pensions under the legislation of one or more Member States and who resides in another Member State may at his request be exempted from application of the legislation of the latter State provided that he is not subject to that legislation on account of pursuing an activity as an employed or self-employed person.

TITLE III

SPECIAL PROVISIONS

CONCERNING THE VARIOUS CATEGORIES OF BENEFITS

CHAPTER 1

SICKNESS, MATERNITY AND EQUIVALENT PATERNITY BENEFITS

SECTION 1

INSURED PERSONS AND MEMBERS OF THEIR FAMILIES, EXCEPT PENSIONERS AND MEMBERS OF THEIR FAMILIES

Article 17

Residence in a Member State other than the competent Member State

An insured person or members of his family who reside in a Member State other than the competent Member State shall receive in the Member State of residence benefits in kind provided, on behalf of the competent institution, by the institution of the place of residence, in accordance with the provisions of the legislation it applies, as though they were insured under the said legislation.

Tuesday 20 April 2004

Article 18

Stay in the competent Member State
when residence is in another Member State — Special rules
for the members of the families of frontier workers

1. Unless otherwise provided for by paragraph 2, the insured person and the members of his family referred to in Article 17 shall also be entitled to benefits in kind while staying in the competent Member State. The benefits in kind shall be provided by the competent institution and at its own expense, in accordance with the provisions of the legislation it applies, as though the persons concerned resided in that Member State.
2. The members of the family of a frontier worker shall be entitled to benefits in kind during their stay in the competent Member State, unless this Member State is listed in Annex III. In this event, the members of the family of a frontier worker shall be entitled to benefits in kind in the competent Member State under the conditions laid down in Article 19(1).

Article 19

Stay outside the competent Member State

1. Unless otherwise provided for by paragraph 2, an insured person and the members of his family staying in a Member State other than the competent Member State shall be entitled to the benefits in kind which become necessary on medical grounds during their stay, taking into account the nature of the benefits and the expected length of the stay. These benefits shall be provided on behalf of the competent institution by the institution of the place of stay, in accordance with the provisions of the legislation it applies, as though the persons concerned were insured under the said legislation.
2. The Administrative Commission shall establish a list of benefits in kind which, in order to be provided during a stay in another Member State, require for practical reasons a prior agreement between the person concerned and the institution providing the care.

Article 20

Travel with the purpose of receiving benefits in kind — Authorisation
to receive appropriate treatment outside the Member State of residence

1. Unless otherwise provided for by this Regulation, an insured person travelling to another Member State with the purpose of receiving benefits in kind during the stay shall seek authorisation from the competent institution.
2. An insured person who is authorised by the competent institution to go to another Member State with the purpose of receiving the treatment appropriate to his condition shall receive the benefits in kind provided, on behalf of the competent institution, by the institution of the place of stay, in accordance with the provisions of the legislation it applies, as though he were insured under the said legislation. The authorisation shall be accorded where the treatment in question is among the benefits provided for by the legislation in the Member State where the person concerned resides and where he cannot be given such treatment within a time-limit which is medically justifiable, taking into account his current state of health and the probable course of his illness.
3. Paragraphs 1 and 2 shall apply *mutatis mutandis* to the members of the family of an insured person.
4. If the members of the family of an insured person reside in a Member State other than the Member State in which the insured person resides, and this Member State has opted for reimbursement on the basis of fixed amounts, the cost of the benefits in kind referred to in paragraph 2 shall be borne by the institution of the place of residence of the members of the family. In this case, for the purposes of paragraph 1, the institution of the place of residence of the members of the family shall be considered to be the competent institution.

Tuesday 20 April 2004

Article 21

Cash benefits

1. An insured person and members of his family residing or staying in a Member State other than the competent Member State shall be entitled to cash benefits provided by the competent institution in accordance with the legislation it applies. By agreement between the competent institution and the institution of the place of residence or stay, such benefits may, however, be provided by the institution of the place of residence or stay at the expense of the competent institution in accordance with the legislation of the competent Member State.
2. The competent institution of a Member State whose legislation stipulates that the calculation of cash benefits shall be based on average income or on an average contribution basis shall determine such average income or average contribution basis exclusively by reference to the incomes confirmed as having been paid, or contribution bases applied, during the periods completed under the said legislation.
3. The competent institution of a Member State whose legislation provides that the calculation of cash benefits shall be based on standard income shall take into account exclusively the standard income or, where appropriate, the average of standard incomes for the periods completed under the said legislation.
4. Paragraphs 2 and 3 shall apply *mutatis mutandis* to cases where the legislation applied by the competent institution lays down a specific reference period which corresponds in the case in question either wholly or partly to the periods which the person concerned has completed under the legislation of one or more other Member States.

Article 22

Pension claimants

1. An insured person who, on making a claim for a pension, or during the investigation thereof, ceases to be entitled to benefits in kind under the legislation of the Member State last competent, shall remain entitled to benefits in kind under the legislation of the Member State in which he resides, provided that the pension claimant satisfies the insurance conditions of the legislation of the Member State referred to in paragraph 2. The right to benefits in kind in the Member State of residence shall also apply to the members of the family of the pension claimant.
2. The benefits in kind shall be chargeable to the institution of the Member State which, in the event of a pension being awarded, would become competent under Articles 23 to 25.

SECTION 2

PENSIONERS AND MEMBERS OF THEIR FAMILIES

Article 23

Right to benefits in kind under the legislation of the Member State of residence

A person who receives a pension or pensions under the legislation of two or more Member States, of which one is the Member State of residence, and who is entitled to benefits in kind under the legislation of that Member State, shall, with the members of his family, receive such benefits in kind from and at the expense of the institution of the place of residence, as though he were a pensioner whose pension was payable solely under the legislation of that Member State.

Article 24

No right to benefits in kind under the legislation of the Member State of residence

1. A person who receives a pension or pensions under the legislation of one or more Member States and who is not entitled to benefits in kind under the legislation of the Member State of residence shall nevertheless receive such benefits for himself and the members of his family, insofar as he would be

Tuesday 20 April 2004

entitled thereto under the legislation of the Member State or of at least one of the Member States competent in respect of his pensions, if he resided in that Member State. The benefits in kind shall be provided at the expense of the institution referred to in paragraph 2 by the institution of the place of residence, as though the person concerned were entitled to a pension and benefits in kind under the legislation of that Member State.

2. In the cases covered by paragraph 1, the cost of benefits in kind shall be borne by the institution as determined in accordance with the following rules:

- (a) where the pensioner is entitled to benefits in kind under the legislation of a single Member State, the cost shall be borne by the competent institution of that Member State;
- (b) where the pensioner is entitled to benefits in kind under the legislation of two or more Member States, the cost thereof shall be borne by the competent institution of the Member State to whose legislation the person has been subject for the longest period of time; should the application of this rule result in several institutions being responsible for the cost of benefits, the cost shall be borne by the institution applying the legislation to which the pensioner was last subject.

Article 25

Pensions under the legislation of one or more Member States
other than the Member State of residence, where there is a right
to benefits in kind in the latter Member State

Where the person receiving a pension or pensions under the legislation of one or more Member States resides in a Member State under whose legislation the right to receive benefits in kind is not subject to conditions of insurance, or of activity as an employed or self-employed person, and no pension is received from that Member State, the cost of benefits in kind provided to him and to members of his family shall be borne by the institution of one of the Member States competent in respect of his pensions determined in accordance with Article 24(2), to the extent that the pensioner and the members of his family would be entitled to such benefits if they resided in that Member State.

Article 26

Residence of members of the family in a Member State
other than the one in which the pensioner resides

Members of the family of a person receiving a pension or pensions under the legislation of one or more Member States who reside in a Member State other than the one in which the pensioner resides shall be entitled to receive benefits in kind from the institution of the place of their residence in accordance with the provisions of the legislation it applies, insofar as the pensioner is entitled to benefits in kind under the legislation of a Member State. The costs shall be borne by the competent institution responsible for the costs of the benefits in kind provided to the pensioner in his Member State of residence.

Article 27

Stay of the pensioner or the members of his family in a Member State
other than the Member State in which they reside —
Stay in the competent Member State — Authorisation
for appropriate treatment outside the Member State of residence

1. Article 19 shall apply *mutatis mutandis* to a person receiving a pension or pensions under the legislation of one or more Member States and entitled to benefits in kind under the legislation of one of the Member States which provide his pension(s) or to the members of his family who are staying in a Member State other than the one in which they reside.

2. Article 18(1) shall apply *mutatis mutandis* to the persons described in paragraph 1 when they stay in the Member State in which is situated the competent institution responsible for the cost of the benefits in kind provided to the pensioner in his Member State of residence and the said Member State has opted for this and is listed in Annex IV.

Tuesday 20 April 2004

3. Article 20 shall apply *mutatis mutandis* to a pensioner and/or the members of his family who are staying in a Member State other than the one in which they reside with the purpose of receiving there the treatment appropriate to their condition.

4. Unless otherwise provided for by paragraph 5, the cost of the benefits in kind referred to in paragraphs 1 to 3 shall be borne by the competent institution responsible for the cost of benefits in kind provided to the pensioner in his Member State of residence.

5. The cost of the benefits in kind referred to in paragraph 3 shall be borne by the institution of the place of residence of the pensioner or of the members of his family, if these persons reside in a Member State which has opted for reimbursement on the basis of fixed amounts. In these cases, for the purposes of paragraph 3, the institution of the place of residence of the pensioner or of the members of his family shall be considered to be the competent institution.

Article 28

Special rules for retired frontier workers

1. A frontier worker who retires is entitled in case of sickness to continue to receive benefits in kind in the Member State where he last pursued his activity as an employed or self-employed person, insofar as this is a continuation of treatment which began in that Member State. The term 'continuation of treatment' means the continued investigation, diagnosis and treatment of an illness.

2. A pensioner who, in the five years preceding the effective date of an old-age or invalidity pension has been pursuing an activity as an employed or self-employed person for at least two years as a frontier worker shall be entitled to benefits in kind in the Member State in which he pursued such an activity as a frontier worker, if this Member State and the Member State in which the competent institution responsible for the costs of the benefits in kind provided to the pensioner in his Member State of residence is situated have opted for this and are both listed in Annex V.

3. Paragraph 2 shall apply *mutatis mutandis* to the members of the family of a former frontier worker or his survivors if, during the periods referred to in paragraph 2, they were entitled to benefits in kind under Article 18(2), even if the frontier worker died before his pension commenced, provided he had been pursuing an activity as an employed or self-employed person as a frontier worker for at least two years in the five years preceding his death.

4. Paragraphs 2 and 3 shall be applicable until the person concerned becomes subject to the legislation of a Member State on the basis of an activity as an employed or self-employed person.

5. The cost of the benefits in kind referred to in paragraphs 1 to 3 shall be borne by the competent institution responsible for the cost of benefits in kind provided to the pensioner or to his survivors in their respective Member States of residence.

Article 29

Cash benefits for pensioners

1. Cash benefits shall be paid to a person receiving a pension or pensions under the legislation of one or more Member States by the competent institution of the Member State in which is situated the competent institution responsible for the cost of benefits in kind provided to the pensioner in his Member State of residence. Article 21 shall apply *mutatis mutandis*.

2. Paragraph 1 shall also apply to the members of a pensioner's family.

Tuesday 20 April 2004

Article 30

Contributions by pensioners

1. The institution of a Member State which is responsible under the legislation it applies for making deductions in respect of contributions for sickness, maternity and equivalent paternity benefits, may request and recover such deductions, calculated in accordance with the legislation it applies, only to the extent that the cost of the benefits under Articles 23 to 26 is to be borne by an institution of the said Member State.
2. Where, in the cases referred to in Article 25, the acquisition of sickness, maternity and equivalent paternity benefits is subject to the payment of contributions or similar payments under the legislation of a Member State in which the pensioner concerned resides, these contributions shall not be payable by virtue of such residence.

SECTION 3

COMMON PROVISIONS

Article 31

General provision

Articles 23 to 30 shall not apply to a pensioner or the members of his family who are entitled to benefits under the legislation of a Member State on the basis of an activity as an employed or self-employed person. In such a case, the person concerned shall be subject, for the purposes of this Chapter, to Articles 17 to 21.

Article 32

Prioritising of the right to benefits in kind —
Special rule for the right of members of the family
to benefits in the Member State of residence

1. An independent right to benefits in kind based on the legislation of a Member State or on this Chapter shall take priority over a derivative right to benefits for members of a family. A derivative right to benefits in kind shall, however, take priority over independent rights, where the independent right in the Member State of residence exists directly and solely on the basis of the residence of the person concerned in that Member State.
2. Where the members of the family of an insured person reside in a Member State under whose legislation the right to benefits in kind is not subject to conditions of insurance or activity as an employed or self-employed person, benefits in kind shall be provided at the expense of the competent institution in the Member State in which they reside, if the spouse or the person caring for the children of the insured person pursues an activity as an employed or self-employed person in the said Member State or receives a pension from that Member State on the basis of an activity as an employed or self-employed person.

Article 33

Substantial benefits in kind

1. An insured person or a member of his family who has had a right to a prosthesis, a major appliance or other substantial benefits in kind recognised by the institution of a Member State, before he became insured under the legislation applied by the institution of another Member State, shall receive such benefits at the expense of the first institution, even if they are awarded after the said person has already become insured under the legislation applied by the second institution.
2. The Administrative Commission shall draw up the list of benefits covered by paragraph 1.

Tuesday 20 April 2004

Article 34

Overlapping of long-term care benefits

1. If a recipient of long-term care benefits in cash, which have to be treated as sickness benefits and are therefore provided by the Member State competent for cash benefits under Articles 21 or 29, is, at the same time and under this Chapter, entitled to claim benefits in kind intended for the same purpose from the institution of the place of residence or stay in another Member State, and an institution in the first Member State is also required to reimburse the cost of these benefits in kind under Article 35, the general provision on prevention of overlapping of benefits laid down in Article 10 shall be applicable, with the following restriction only: if the person concerned claims and receives the benefit in kind, the amount of the benefit in cash shall be reduced by the amount of the benefit in kind which is or could be claimed from the institution of the first Member State required to reimburse the cost.
2. The Administrative Commission shall draw up the list of the cash benefits and benefits in kind covered by paragraph 1.
3. Two or more Member States, or their competent authorities, may agree on other or supplementary measures which shall not be less advantageous for the persons concerned than the principles laid down in paragraph 1.

Article 35

Reimbursements between institutions

1. The benefits in kind provided by the institution of a Member State on behalf of the institution of another Member State under this Chapter shall give rise to full reimbursement.
2. The reimbursements referred to in paragraph 1 shall be determined and effected in accordance with the arrangements set out in the Implementing Regulation, either on production of proof of actual expenditure, or on the basis of fixed amounts for Member States the legal or administrative structures of which are such that the use of reimbursement on the basis of actual expenditure is not appropriate.
3. Two or more Member States, and their competent authorities, may provide for other methods of reimbursement or waive all reimbursement between the institutions coming under their jurisdiction.

CHAPTER 2

BENEFITS IN RESPECT OF ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

Article 36

Right to benefits in kind and in cash

1. Without prejudice to any more favourable provisions in paragraph 2 of this Article, Articles 17, 18(1), 19(1) and 20(1) shall also apply to benefits relating to accidents at work or occupational diseases.
2. A person who has sustained an accident at work or has contracted an occupational disease and who resides or stays in a Member State other than the competent Member State shall be entitled to the special benefits in kind of the scheme covering accidents at work and occupational diseases provided, on behalf of the competent institution, by the institution of the place of residence or stay in accordance with the legislation which it applies, as though he were insured under the said legislation.
3. Article 21 shall also apply to benefits falling within this Chapter.

Tuesday 20 April 2004

Article 37

Costs of transport

1. The competent institution of a Member State whose legislation provides for meeting the costs of transporting a person who has sustained an accident at work or is suffering from an occupational disease, either to his place of residence or to a hospital, shall meet such costs to the corresponding place in another Member State where the person resides, provided that that institution gives prior authorisation for such transport, duly taking into account the reasons justifying it. Such authorisation shall not be required in the case of a frontier worker.
2. The competent institution of a Member State whose legislation provides for meeting the costs of transporting the body of a person killed in an accident at work to the place of burial shall, in accordance with the legislation it applies, meet such costs to the corresponding place in another Member State where the person was residing at the time of the accident.

*Article 38*Benefits for an occupational disease where the person suffering from
such a disease has been exposed to the same risk in several Member States

When a person who has contracted an occupational disease has, under the legislation of two or more Member States, pursued an activity which by its nature is likely to cause the said disease, the benefits that he or his survivors may claim shall be provided exclusively under the legislation of the last of those States whose conditions are satisfied.

Article 39

Aggravation of an occupational disease

In the event of aggravation of an occupational disease for which a person suffering from such a disease has received or is receiving benefits under the legislation of a Member State, the following rules shall apply:

- (a) if the person concerned, while in receipt of benefits, has not pursued, under the legislation of another Member State, an activity as an employed or self-employed person likely to cause or aggravate the disease in question, the competent institution of the first Member State shall bear the cost of the benefits under the provisions of the legislation which it applies, taking into account the aggravation;
- (b) if the person concerned, while in receipt of benefits, has pursued such an activity under the legislation of another Member State, the competent institution of the first Member State shall bear the cost of the benefits under the legislation it applies without taking the aggravation into account. The competent institution of the second Member State shall grant a supplement to the person concerned, the amount of which shall be equal to the difference between the amount of benefits due after the aggravation and the amount which would have been due prior to the aggravation under the legislation it applies, if the disease in question had occurred under the legislation of that Member State;
- (c) the rules concerning reduction, suspension or withdrawal laid down by the legislation of a Member State shall not be invoked against persons receiving benefits provided by institutions of two Member States in accordance with subparagraph (b).

Article 40

Rules for taking into account the special features of certain legislation

1. If there is no insurance against accidents at work or occupational diseases in the Member State in which the person concerned resides or stays, or if such insurance exists but there is no institution responsible for providing benefits in kind, those benefits shall be provided by the institution of the place of residence or stay responsible for providing benefits in kind in the event of sickness.

Tuesday 20 April 2004

2. If there is no insurance against accidents at work or occupational diseases in the competent Member State, the provisions of this Chapter concerning benefits in kind shall nevertheless be applied to a person who is entitled to those benefits in the event of sickness, maternity or equivalent paternity under the legislation of that Member State if that person sustains an accident at work or suffers from an occupational disease during a residence or stay in another Member State. Costs shall be borne by the institution which is competent for the benefits in kind under the legislation of the competent Member State.

3. Article 5 shall apply to the competent institution in a Member State as regards the equivalence of accidents at work and occupational diseases which either have occurred or have been confirmed subsequently under the legislation of another Member State when assessing the degree of incapacity, the right to benefits or the amount thereof, on condition that:

- (a) no compensation is due in respect of an accident at work or an occupational disease which had occurred or had been confirmed previously under the legislation it applies; and
- (b) no compensation is due in respect of an accident at work or an occupational disease which had occurred or had been confirmed subsequently, under the legislation of the other Member State under which the accident at work or the occupational disease had occurred or been confirmed.

Article 41

Reimbursements between institutions

1. Article 35 shall also apply to benefits falling within this Chapter, and reimbursement shall be made on the basis of actual costs.

2. Two or more Member States, or their competent authorities, may provide for other methods of reimbursement or waive all reimbursement between the institutions under their jurisdiction.

CHAPTER 3

DEATH GRANTS

Article 42

Right to grants where death occurs in,
or where the person entitled resides in, a Member State
other than the competent Member State

1. When an insured person or a member of his family dies in a Member State other than the competent Member State, the death shall be deemed to have occurred in the competent Member State.

2. The competent institution shall be obliged to provide death grants payable under the legislation it applies, even if the person entitled resides in a Member State other than the competent Member State.

3. Paragraphs 1 and 2 shall also apply when the death is the result of an accident at work or an occupational disease.

Article 43

Provision of benefits in the event of the death of a pensioner

1. In the event of the death of a pensioner who was entitled to a pension under the legislation of one Member State, or to pensions under the legislations of two or more Member States, when that pensioner was residing in a Member State other than that of the institution responsible for the cost of benefits in kind provided under Articles 24 and 25, the death grants payable under the legislation administered by that institution shall be provided at its own expense as though the pensioner had been residing at the time of his death in the Member State in which that institution is situated.

2. Paragraph 1 shall apply *mutatis mutandis* to the members of the family of a pensioner.

Tuesday 20 April 2004

CHAPTER 4

INVALIDITY BENEFITS

Article 44

Persons subject only to type A legislation

1. For the purposes of this Chapter, 'type A legislation' means any legislation under which the amount of invalidity benefits is independent of the duration of the periods of insurance or residence and which is expressly included by the competent Member State in Annex VI, and 'type B legislation' means any other legislation.
2. A person who has been successively or alternately subject to the legislation of two or more Member States and who has completed periods of insurance or residence exclusively under type A legislations shall be entitled to benefits only from the institution of the Member State whose legislation was applicable at the time when the incapacity for work followed by invalidity occurred, taking into account, where appropriate, Article 45, and shall receive such benefits in accordance with that legislation.
3. A person who is not entitled to benefits under paragraph 2 shall receive the benefits to which he is still entitled under the legislation of another Member State, taking into account, where appropriate, Article 45.
4. If the legislation referred to in paragraph 2 or 3 contains rules for the reduction, suspension or withdrawal of invalidity benefits in the case of overlapping with other income or with benefits of a different kind within the meaning of Article 53(2), Articles 53(3) and 55(3) shall apply *mutatis mutandis*.

Article 45

Special provisions on aggregation of periods

The competent institution of a Member State whose legislation makes the acquisition, retention or recovery of the right to benefits conditional upon the completion of periods of insurance or residence shall, where necessary, apply Article 51(1) *mutatis mutandis*.

*Article 46*Persons subject either only to type B legislation
or to type A and B legislation

1. A person who has been successively or alternately subject to the legislation of two or more Member States, of which at least one is not a type A legislation, shall be entitled to benefits under Chapter 5, which shall apply *mutatis mutandis* taking into account paragraph 3.
2. However, if the person concerned has been previously subject to a type B legislation and suffers incapacity for work leading to invalidity while subject to a type A legislation, he shall receive benefits in accordance with Article 44, provided that:
 - he satisfies the conditions of that legislation exclusively or of others of the same type, taking into account, where appropriate, Article 45, but without having recourse to periods of insurance or residence completed under a type B legislation, and
 - he does not assert any claims to old-age benefits, taking into account Article 50(1).
3. A decision taken by an institution of a Member State concerning the degree of invalidity of a claimant shall be binding on the institution of any other Member State concerned, provided that the concordance between the legislation of these Member States on conditions relating to the degree of invalidity is acknowledged in Annex VII.

Tuesday 20 April 2004

Article 47

Aggravation of invalidity

1. In the case of aggravation of an invalidity for which a person is receiving benefits under the legislation of one or more Member States, the following provisions shall apply, taking the aggravation into account:

- (a) the benefits shall be provided in accordance with Chapter 5, applied *mutatis mutandis*;
- (b) however, where the person concerned has been subject to two or more type A legislations and since receiving benefit has not been subject to the legislation of another Member State, the benefit shall be provided in accordance with Article 44(2).

2. If the total amount of the benefit or benefits payable under paragraph 1 is lower than the amount of the benefit which the person concerned was receiving at the expense of the institution previously competent for payment, that institution shall pay him a supplement equal to the difference between the two amounts.

3. If the person concerned is not entitled to benefits at the expense of an institution of another Member State, the competent institution of the Member State previously competent shall provide the benefits in accordance with the legislation it applies, taking into account the aggravation and, where appropriate, Article 45.

Article 48

Conversion of invalidity benefits into old-age benefits

1. Invalidity benefits shall be converted into old-age benefits, where appropriate, under the conditions laid down by the legislation or legislations under which they are provided and in accordance with Chapter 5.

2. Where a person receiving invalidity benefits can establish a claim to old-age benefits under the legislation of one or more other Member States, in accordance with Article 50, any institution which is responsible for providing invalidity benefits under the legislation of a Member State shall continue to provide such a person with the invalidity benefits to which he is entitled under the legislation it applies until paragraph 1 becomes applicable in respect of that institution, or otherwise for as long as the person concerned satisfies the conditions for such benefits.

3. Where invalidity benefits provided under the legislation of a Member State, in accordance with Article 44, are converted into old-age benefits and where the person concerned does not yet satisfy the conditions laid down by the legislation of one or more of the other Member States for receiving those benefits, the person concerned shall receive, from that or those Member States, invalidity benefits from the date of the conversion.

Those invalidity benefits shall be provided in accordance with Chapter 5 as if that Chapter had been applicable at the time when the incapacity for work leading to invalidity occurred, until the person concerned satisfies the qualifying conditions for old-age benefit laid down by the national legislations concerned or, where such conversion is not provided for, for as long as he is entitled to invalidity benefits under the latter legislation or legislations.

4. The invalidity benefits provided under Article 44 shall be recalculated in accordance with Chapter 5 as soon as the beneficiary satisfies the qualifying conditions for invalidity benefits laid down by a type B legislation, or as soon as he receives old-age benefits under the legislation of another Member State.

Article 49

Special provisions for civil servants

Articles 6, 44, 46, 47 and 48 and Article 60(2) and (3) shall apply *mutatis mutandis* to persons covered by a special scheme for civil servants.

Tuesday 20 April 2004

CHAPTER 5

OLD-AGE AND SURVIVORS' PENSIONS

Article 50

General provisions

1. All the competent institutions shall determine entitlement to benefit, under all the legislations of the Member States to which the person concerned has been subject, when a request for award has been submitted, unless the person concerned expressly requests deferment of the award of old-age benefits under the legislation of one or more Member States.
2. If at a given moment the person concerned does not satisfy, or no longer satisfies, the conditions laid down by all the legislations of the Member States to which he has been subject, the institutions applying legislation the conditions of which have been satisfied shall not take into account, when performing the calculation in accordance with Article 52(1)(a) or (b), the periods completed under the legislations the conditions of which have not been satisfied, or are no longer satisfied, where this gives rise to a lower amount of benefit.
3. Paragraph 2 shall apply *mutatis mutandis* when the person concerned has expressly requested deferment of the award of old-age benefits.
4. A new calculation shall be performed automatically as and when the conditions to be fulfilled under the other legislations are satisfied or when a person requests the award of an old-age benefit deferred in accordance with paragraph 1, unless the periods completed under the other legislations have already been taken into account by virtue of paragraph 2 or 3.

Article 51

Special provisions on aggregation of periods

1. Where the legislation of a Member State makes the granting of certain benefits conditional upon the periods of insurance having been completed only in a specific activity as an employed or self-employed person or in an occupation which is subject to a special scheme for employed or self-employed persons, the competent institution of that Member State shall take into account periods completed under the legislation of other Member States only if completed under a corresponding scheme or, failing that, in the same occupation, or where appropriate, in the same activity as an employed or self-employed person.

If, account having been taken of the periods thus completed, the person concerned does not satisfy the conditions for receipt of the benefits of a special scheme, these periods shall be taken into account for the purposes of providing the benefits of the general scheme or, failing that, of the scheme applicable to manual or clerical workers, as the case may be, provided that the person concerned had been affiliated to one or other of those schemes.

2. The periods of insurance completed under a special scheme of a Member State shall be taken into account for the purposes of providing the benefits of the general scheme or, failing that, of the scheme applicable to manual or clerical workers, as the case may be, of another Member State, provided that the person concerned had been affiliated to one or other of those schemes, even if those periods have already been taken into account in the latter Member State under a special scheme.
3. Where the legislation of a Member State makes the acquisition, retention or recovery of the right to benefits conditional upon the person concerned being insured at the time of the materialisation of the risk, this condition shall be regarded as having been satisfied in the case of insurance under the legislation of another Member State, in accordance with the procedures provided for in Annex XI for each Member State concerned.

Tuesday 20 April 2004

Article 52

Award of benefits

1. The competent institution shall calculate the amount of the benefit that would be due:
 - (a) under the legislation it applies, only where the conditions for entitlement to benefits have been satisfied exclusively under national law (independent benefit);
 - (b) by calculating a theoretical amount and subsequently an actual amount (pro-rata benefit), as follows:
 - (i) the theoretical amount of the benefit is equal to the benefit which the person concerned could claim if all the periods of insurance and/or of residence which have been completed under the legislations of the other Member States had been completed under the legislation it applies on the date of the award of the benefit. If, under this legislation, the amount does not depend on the duration of the periods completed, that amount shall be regarded as being the theoretical amount;
 - (ii) the competent institution shall then establish the actual amount of the pro-rata benefit by applying to the theoretical amount the ratio between the duration of the periods completed before materialisation of the risk under the legislation it applies and the total duration of the periods completed before materialisation of the risk under the legislations of all the Member States concerned.
2. Where appropriate, the competent institution shall apply, to the amount calculated in accordance with subparagraphs 1(a) and (b), all the rules relating to reduction, suspension or withdrawal, under the legislation it applies, within the limits provided for by Articles 53 to 55.
3. The person concerned shall be entitled to receive from the competent institution of each Member State the higher of the amounts calculated in accordance with subparagraphs 1(a) and (b).
4. Where the calculation pursuant to subparagraph 1(a) in one Member State invariably results in the independent benefit being equal to or higher than the pro-rata benefit, calculated in accordance with subparagraph 1(b), the competent institution may waive the pro-rata calculation, under the conditions provided for in the Implementing Regulation. Such situations are set out in Annex VIII.

Article 53

Rules to prevent overlapping

1. Any overlapping of invalidity, old-age and survivors' benefits calculated or provided on the basis of periods of insurance and/or residence completed by the same person shall be considered to be overlapping of benefits of the same kind.
2. Overlapping of benefits which cannot be considered to be of the same kind within the meaning of paragraph 1 shall be considered to be overlapping of benefits of a different kind.
3. The following provisions shall be applicable for the purposes of rules to prevent overlapping laid down by the legislation of a Member State in the case of overlapping of a benefit in respect of invalidity, old age or survivors with a benefit of the same kind or a benefit of a different kind or with other income:
 - (a) the competent institution shall take into account the benefits or incomes acquired in another Member State only where the legislation it applies provides for benefits or income acquired abroad to be taken into account;
 - (b) the competent institution shall take into account the amount of benefits to be paid by another Member State before deduction of tax, social security contributions and other individual levies or deductions, unless the legislation it applies provides for the application of rules to prevent overlapping after such deductions, under the conditions and the procedures laid down in the Implementing Regulation;
 - (c) the competent institution shall not take into account the amount of benefits acquired under the legislation of another Member State on the basis of voluntary insurance or continued optional insurance;

Tuesday 20 April 2004

- (d) if a single Member State applies rules to prevent overlapping because the person concerned receives benefits of the same or of a different kind under the legislation of other Member States or income acquired in other Member States, the benefit due may be reduced solely by the amount of such benefits or such income.

Article 54

Overlapping of benefits of the same kind

1. Where benefits of the same kind due under the legislation of two or more Member States overlap, the rules to prevent overlapping laid down by the legislation of a Member State shall not be applicable to a pro-rata benefit.
2. The rules to prevent overlapping shall apply to an independent benefit only if the benefit concerned is:
 - (a) a benefit the amount of which does not depend on the duration of periods of insurance or residence, or
 - (b) a benefit the amount of which is determined on the basis of a credited period deemed to have been completed between the date on which the risk materialised and a later date, overlapping with:
 - (i) a benefit of the same type, except where an agreement has been concluded between two or more Member States to avoid the same credited period being taken into account more than once, or
 - (ii) a benefit referred to in subparagraph (a).

The benefits and agreements referred to in subparagraphs (a) and (b) are listed in Annex IX.

Article 55

Overlapping of benefits of a different kind

1. If the receipt of benefits of a different kind or other income requires the application of the rules to prevent overlapping provided for by the legislation of the Member States concerned regarding:
 - (a) two or more independent benefits, the competent institutions shall divide the amounts of the benefit or benefits or other income, as they have been taken into account, by the number of benefits subject to the said rules;however, the application of this subparagraph cannot deprive the person concerned of his status as a pensioner for the purposes of the other Chapters of this Title under the conditions and the procedures laid down in the Implementing Regulation;
 - (b) one or more pro-rata benefits, the competent institutions shall take into account the benefit or benefits or other income and all the elements stipulated for applying the rules to prevent overlapping as a function of the ratio between the periods of insurance and/or residence established for the calculation referred to in Article 52(1)(b)(ii);
 - (c) one or more independent benefits and one or more pro-rata benefits, the competent institutions shall apply *mutatis mutandis* subparagraph (a) as regards independent benefits and subparagraph (b) as regards pro-rata benefits.
2. The competent institution shall not apply the division stipulated in respect of independent benefits, if the legislation it applies provides for account to be taken of benefits of a different kind and/or other income and all other elements for calculating part of their amount determined as a function of the ratio between periods of insurance and/or residence referred to in Article 52(1)(b)(ii).
3. Paragraphs 1 and 2 shall apply *mutatis mutandis* where the legislation of one or more Member States provides that a right to a benefit cannot be acquired in the case where the person concerned is in receipt of a benefit of a different kind, payable under the legislation of another Member State, or of other income.

Tuesday 20 April 2004

Article 56

Additional provisions for the calculation of benefits

1. For the calculation of the theoretical and pro-rata amounts referred to in Article 52(1)(b), the following rules shall apply:
 - (a) where the total length of the periods of insurance and/or residence completed before the risk materialised under the legislations of all the Member States concerned is longer than the maximum period required by the legislation of one of these Member States for receipt of full benefit, the competent institution of that Member State shall take into account this maximum period instead of the total length of the periods completed; this method of calculation shall not result in the imposition on that institution of the cost of a benefit greater than the full benefit provided for by the legislation it applies. This provision shall not apply to benefits the amount of which does not depend on the length of insurance;
 - (b) the procedure for taking into account overlapping periods is laid down in the Implementing Regulation;
 - (c) if the legislation of a Member State provides that the benefits are to be calculated on the basis of incomes, contributions, bases of contributions, increases, earnings, other amounts or a combination of more than one of them (average, proportional, fixed or credited), the competent institution shall:
 - (i) determine the basis for calculation of the benefits in accordance only with periods of insurance completed under the legislation it applies;
 - (ii) use, in order to determine the amount to be calculated in accordance with the periods of insurance and/or residence completed under the legislation of the other Member States, the same elements determined or recorded for the periods of insurance completed under the legislation it applies;

in accordance with the procedures laid down in Annex XI for the Member State concerned.

2. The provisions of the legislation of a Member State concerning the revalorisation of the elements taken into account for the calculation of benefits shall apply, as appropriate, to the elements to be taken into account by the competent institution of that Member State, in accordance with paragraph 1, in respect of the periods of insurance or residence completed under the legislation of other Member States.

Article 57

Periods of insurance or residence of less than one year

1. Notwithstanding Article 52(1)(b), the institution of a Member State shall not be required to provide benefits in respect of periods completed under the legislation it applies which are taken into account when the risk materialises, if:
 - the duration of the said periods is less than one year,and
 - taking only these periods into account no right to benefit is acquired under that legislation.

For the purposes of this Article, 'periods' shall mean all periods of insurance, employment, self-employment or residence which either qualify for, or directly increase, the benefit concerned.

2. The competent institution of each of the Member States concerned shall take into account the periods referred to in paragraph 1, for the purposes of Article 52(1)(b)(i).
3. If the effect of applying paragraph 1 would be to relieve all the institutions of the Member States concerned of their obligations, benefits shall be provided exclusively under the legislation of the last of those Member States whose conditions are satisfied, as if all the periods of insurance and residence completed and taken into account in accordance with Articles 6 and 51(1) and (2) had been completed under the legislation of that Member State.

Tuesday 20 April 2004

Article 58

Award of a supplement

1. A recipient of benefits to whom this Chapter applies may not, in the Member State of residence and under whose legislation a benefit is payable to him, be provided with a benefit which is less than the minimum benefit fixed by that legislation for a period of insurance or residence equal to all the periods taken into account for the payment in accordance with this Chapter.
2. The competent institution of that Member State shall pay him throughout the period of his residence in its territory a supplement equal to the difference between the total of the benefits due under this Chapter and the amount of the minimum benefit.

Article 59

Recalculation and revaluation of benefits

1. If the method for determining benefits or the rules for calculating benefits are altered under the legislation of a Member State, or if the personal situation of the person concerned undergoes a relevant change which, under that legislation, would lead to an adjustment of the amount of the benefit, a recalculation shall be carried out in accordance with Article 52.
2. On the other hand, if, by reason of an increase in the cost of living or changes in the level of income or other grounds for adjustment, the benefits of the Member State concerned are altered by a percentage or fixed amount, such percentage or fixed amount shall be applied directly to the benefits determined in accordance with Article 52, without the need for a recalculation.

Article 60

Special provisions for civil servants

1. Articles 6, 50, 51(3) and 52 to 59 shall apply *mutatis mutandis* to persons covered by a special scheme for civil servants.
2. However, if the legislation of a competent Member State makes the acquisition, liquidation, retention or recovery of the right to benefits under a special scheme for civil servants subject to the condition that all periods of insurance be completed under one or more special schemes for civil servants in that Member State, or be regarded by the legislation of that Member State as equivalent to such periods, the competent institution of that State shall take into account only the periods which can be recognised under the legislation it applies.

If, account having been taken of the periods thus completed, the person concerned does not satisfy the conditions for the receipt of these benefits, these periods shall be taken into account for the award of benefits under the general scheme or, failing that, the scheme applicable to manual or clerical workers, as the case may be.

3. Where, under the legislation of a Member State, benefits under a special scheme for civil servants are calculated on the basis of the last salary or salaries received during a reference period, the competent institution of that State shall take into account, for the purposes of the calculation, only those salaries, duly revalued, which were received during the period or periods for which the person concerned was subject to that legislation.

CHAPTER 6

UNEMPLOYMENT BENEFIT

*Article 61*Special rules on aggregation of periods of insurance,
employment or self-employment

1. The competent institution of a Member State whose legislation makes the acquisition, retention, recovery or duration of the right to benefits conditional upon the completion of either periods of insurance, employment or self-employment shall, to the extent necessary, take into account periods of insur-

Tuesday 20 April 2004

ance, employment or self-employment completed under the legislation of any other Member State as though they were completed under the legislation it applies.

However, when the applicable legislation makes the right to benefits conditional on the completion of periods of insurance, the periods of employment or self-employment completed under the legislation of another Member State shall not be taken into account unless such periods would have been considered to be periods of insurance had they been completed in accordance with the applicable legislation.

2. Except in the cases referred to in Article 65(5)(a), the application of paragraph 1 of this Article shall be conditional on the person concerned having the most recently completed, in accordance with the legislation under which the benefits are claimed:

- periods of insurance, if that legislation requires periods of insurance,
- periods of employment, if that legislation requires periods of employment, or
- periods of self-employment, if that legislation requires periods of self-employment.

Article 62

Calculation of benefits

1. The competent institution of a Member State whose legislation provides for the calculation of benefits on the basis of the amount of the previous salary or professional income shall take into account exclusively the salary or professional income received by the person concerned in respect of his last activity as an employed or self-employed person under the said legislation.

2. Paragraph 1 shall also apply where the legislation administered by the competent institution provides for a specific reference period for the determination of the salary which serves as a basis for the calculation of benefits and where, for all or part of that period, the person concerned was subject to the legislation of another Member State.

3. By way of derogation from paragraphs (1) and (2), as far as the frontier workers covered by Article 65(5)(a) are concerned, the institution of the place of residence shall take into account the salary or professional income received by the person concerned in the Member State to whose legislation he was subject during his last activity as an employed or self-employed person, in accordance with the Implementing Regulation.

Article 63

Special provisions for the waiving of residence rules

For the purposes of this Chapter, Article 7 shall apply only in the cases provided for by Articles 64 and 65 and within the limits prescribed therein.

Article 64

Unemployed persons going to another Member State

1. A wholly unemployed person who satisfies the conditions of the legislation of the competent Member State for entitlement to benefits, and who goes to another Member State in order to seek work there, shall retain his entitlement to unemployment benefits in cash under the following conditions and within the following limits:

- (a) before his departure, the unemployed person must have been registered as a person seeking work and have remained available to the employment services of the competent Member State for at least four weeks after becoming unemployed. However, the competent services or institutions may authorise his departure before such time has expired;

Tuesday 20 April 2004

- (b) the unemployed person must register as a person seeking work with the employment services of the Member State to which he has gone, be subject to the control procedure organised there and adhere to the conditions laid down under the legislation of that Member State. This condition shall be considered satisfied for the period before registration if the person concerned registers within seven days of the date on which he ceased to be available to the employment services of the Member State which he left. In exceptional cases, the competent services or institutions may extend this period;
 - (c) entitlement to benefits shall be retained for a period of three months from the date when the unemployed person ceased to be available to the employment services of the Member State which he left, provided that the total duration for which the benefits are provided does not exceed the total duration of the period of his entitlement to benefits under the legislation of that Member State; the competent services or institutions may extend the period of three months up to a maximum of six months;
 - (d) the benefits shall be provided by the competent institution in accordance with the legislation it applies and at its own expense.
2. If the person concerned returns to the competent Member State on or before the expiry of the period during which he is entitled to benefits under paragraph 1(c), he shall continue to be entitled to benefits under the legislation of that Member State. He shall lose all entitlement to benefits under the legislation of the competent Member State if he does not return there on or before the expiry of the said period, unless the provisions of that legislation are more favourable. In exceptional cases the competent services or institutions may allow the person concerned to return at a later date without loss of his entitlement.
3. Unless the legislation of the competent Member State is more favourable, between two periods of employment the maximum total period for which entitlement to benefits shall be retained under paragraph 1 shall be three months; the competent services or institutions may extend that period up to a maximum of six months.
4. The arrangements for exchanges of information, cooperation and mutual assistance between the institutions and services of the competent Member State and the Member State to which the person goes in order to seek work shall be laid down in the Implementing Regulation.

Article 65

Unemployed persons who resided in a Member State other than the competent State

1. A person who is partially or intermittently unemployed and who, during his last activity as an employed or self-employed person, resided in a Member State other than the competent Member State shall make himself available to his employer or to the employment services in the competent Member State. He shall receive benefits in accordance with the legislation of the competent Member State as if he were residing in that Member State. These benefits shall be provided by the institution of the competent Member State.
2. A wholly unemployed person who, during his last activity as an employed or self-employed person, resided in a Member State other than the competent Member State and who continues to reside in that Member State or returns to that Member State shall make himself available to the employment services in the Member State of residence. Without prejudice to Article 64, a wholly unemployed person may, as a supplementary step, make himself available to the employment services of the Member State in which he pursued his last activity as an employed or self-employed person.

An unemployed person, other than a frontier worker, who does not return to his Member State of residence, shall make himself available to the employment services in the Member State to whose legislation he was last subject.

3. The unemployed person referred to in the first sentence of paragraph 2 shall register as a person seeking work with the competent employment services of the Member State in which he resides, shall be subject to the control procedure organised there and shall adhere to the conditions laid down under the legislation of that Member State. If he chooses also to register as a person seeking work in the Member State in which he pursued his last activity as an employed or self-employed person, he shall comply with the obligations applicable in that State.

Tuesday 20 April 2004

4. The implementation of the second sentence of paragraph 2 and of the second sentence of paragraph 3, as well as the arrangements for exchanges of information, cooperation and mutual assistance between the institutions and services of the Member State of residence and the Member State in which he pursued his last occupation, shall be laid down in the Implementing Regulation.
5. (a) The unemployed person referred to in the first and second sentences of paragraph 2 shall receive benefits in accordance with the legislation of the Member State of residence as if he had been subject to that legislation during his last activity as an employed or self-employed person. Those benefits shall be provided by the institution of the place of residence.
- (b) However, a worker other than a frontier worker who has been provided benefits at the expense of the competent institution of the Member State to whose legislation he was last subject shall firstly receive, on his return to the Member State of residence, benefits in accordance with Article 64, receipt of the benefits in accordance with (a) being suspended for the period during which he receives benefits under the legislation to which he was last subject.
6. The benefits provided by the institution of the place of residence under paragraph 5 shall continue to be at its own expense. However, subject to paragraph 7, the competent institution of the Member State to whose legislation he was last subject shall reimburse to the institution of the place of residence the full amount of the benefits provided by the latter institution during the first three months. The amount of the reimbursement during this period may not be higher than the amount payable, in the case of unemployment, under the legislation of the competent Member State. In the case referred to in paragraph 5(b), the period during which benefits are provided under Article 64 shall be deducted from the period referred to in the second sentence of this paragraph. The arrangements for reimbursement shall be laid down in the Implementing Regulation.
7. However, the period of reimbursement referred to in paragraph 6 shall be extended to five months when the person concerned has, during the preceding 24 months, completed periods of employment or self-employment of at least 12 months in the Member State to whose legislation he was last subject, where such periods would qualify for the purposes of establishing entitlement to unemployment benefits.
8. For the purposes of paragraphs 6 and 7, two or more Member States, or their competent authorities, may provide for other methods of reimbursement or waive all reimbursement between the institutions falling under their jurisdiction.

CHAPTER 7

PRE-RETIREMENT BENEFITS

Article 66

Benefits

When the applicable legislation makes the right to pre-retirement benefits conditional on the completion of periods of insurance, of employment or of self-employment, Article 6 shall not apply.

CHAPTER 8

FAMILY BENEFITS

Article 67

Members of the family residing in another Member State

A person shall be entitled to family benefits in accordance with the legislation of the competent Member State, including for his family members residing in another Member State, as if they were residing in the former Member State. However, a pensioner shall be entitled to family benefits in accordance with the legislation of the Member State competent for his pension.

Tuesday 20 April 2004

Article 68

Priority rules in the event of overlapping

1. Where, during the same period and for the same family members, benefits are provided for under the legislation of more than one Member State the following priority rules shall apply:
 - (a) in the case of benefits payable by more than one Member State on different bases, the order of priority shall be as follows: firstly, rights available on the basis of an activity as an employed or self-employed person, secondly, rights available on the basis of receipt of a pension and finally, rights obtained on the basis of residence;
 - (b) in the case of benefits payable by more than one Member State on the same basis, the order of priority shall be established by referring to the following subsidiary criteria:
 - (i) in the case of rights available on the basis of an activity as an employed or self-employed person: the place of residence of the children, provided that there is such activity, and additionally, where appropriate, the highest amount of the benefits provided for by the conflicting legislations. In the latter case, the cost of benefits shall be shared in accordance with criteria laid down in the Implementing Regulation;
 - (ii) in the case of rights available on the basis of receipt of pensions: the place of residence of the children, provided that a pension is payable under its legislation, and additionally, where appropriate, the longest period of insurance or residence under the conflicting legislations;
 - (iii) in the case of rights available on the basis of residence: the place of residence of the children.
2. In the case of overlapping entitlements, family benefits shall be provided in accordance with the legislation designated as having priority in accordance with paragraph 1. Entitlements to family benefits by virtue of other conflicting legislation or legislations shall be suspended up to the amount provided for by the first legislation and a differential supplement shall be provided, if necessary, for the sum which exceeds this amount. However, such a differential supplement does not need to be provided for children residing in another Member State when entitlement to the benefit in question is based on residence only.
3. If, under Article 67, an application for family benefits is submitted to the competent institution of a Member State whose legislation is applicable, but not by priority right in accordance with paragraphs 1 and 2 of this Article:
 - (a) that institution shall forward the application without delay to the competent institution of the Member State whose legislation is applicable by priority, inform the person concerned and, without prejudice to the provisions of the Implementing Regulation concerning the provisional award of benefits, provide, if necessary, the differential supplement mentioned in paragraph 2;
 - (b) the competent institution of the Member State whose legislation is applicable by priority shall deal with this application as though it were submitted directly to itself, and the date on which such an application was submitted to the first institution shall be considered as the date of its claim to the institution with priority.

Article 69

Additional provisions

1. If, under the legislation designated by virtue of Articles 67 and 68, no right is acquired to the payment of additional or special family benefits for orphans, such benefits shall be paid by default, and in addition to the other family benefits acquired in accordance with the abovementioned legislation, under the legislation of the Member State to which the deceased worker was subject for the longest period of time, insofar as the right was acquired under that legislation. If no right was acquired under that legislation, the conditions for the acquisition of such right under the legislations of the other Member States shall be examined and benefits provided in decreasing order of the length of periods of insurance or residence completed under the legislation of those Member States.
2. Benefits paid in the form of pensions or supplements to pensions shall be provided and calculated in accordance with Chapter 5.

Tuesday 20 April 2004

CHAPTER 9

SPECIAL NON-CONTRIBUTORY CASH BENEFITS

Article 70

General provision

1. This Article shall apply to special non-contributory cash benefits which are provided under legislation which, because of its personal scope, objectives and/or conditions for entitlement, has characteristics both of the social security legislation referred to in Article 3(1) and of social assistance.

2. For the purposes of this Chapter, 'special non-contributory cash benefits' means those which:

(a) are intended to provide either:

- (i) supplementary, substitute or ancillary cover against the risks covered by the branches of social security referred to in Article 3(1), and which guarantee the persons concerned a minimum subsistence income having regard to the economic and social situation in the Member State concerned; or
- (ii) solely specific protection for the disabled, closely linked to the said person's social environment in the Member State concerned,

and

(b) where the financing exclusively derives from compulsory taxation intended to cover general public expenditure and the conditions for providing and for calculating the benefits are not dependent on any contribution in respect of the beneficiary. However, benefits provided to supplement a contributory benefit shall not be considered to be contributory benefits for this reason alone,

and

(c) are listed in Annex X.

3. Article 7 and the other Chapters of this Title shall not apply to the benefits referred to in paragraph 2 of this Article.

4. The benefits referred to in paragraph 2 shall be provided exclusively in the Member State in which the persons concerned reside, in accordance with its legislation. Such benefits shall be provided by and at the expense of the institution of the place of residence.

TITLE IV

ADMINISTRATIVE COMMISSION AND ADVISORY COMMITTEE

Article 71

Composition and working methods of the Administrative Commission

1. The Administrative Commission for the Coordination of Social Security Systems (hereinafter called 'the Administrative Commission') attached to the Commission of the European Communities shall be made up of a government representative from each of the Member States, assisted, where necessary, by expert advisers. A representative of the Commission of the European Communities shall attend the meetings of the Administrative Commission in an advisory capacity.

2. The rules of the Administrative Commission shall be drawn up by mutual agreement among its members.

Decisions on questions of interpretation referred to in Article 72(a) shall be adopted under the voting rules established by the Treaty and shall be given the necessary publicity.

3. Secretarial services for the Administrative Commission shall be provided by the Commission of the European Communities.

Tuesday 20 April 2004

Article 72

Tasks of the Administrative Commission

The Administrative Commission shall:

- (a) deal with all administrative questions and questions of interpretation arising from the provisions of this Regulation or those of the Implementing Regulation, or from any agreement concluded or arrangement made thereunder, without prejudice to the right of the authorities, institutions and persons concerned to have recourse to the procedures and tribunals provided for by the legislation of the Member States, by this Regulation or by the Treaty;
- (b) facilitate the uniform application of Community law, especially by promoting exchange of experience and best administrative practices;
- (c) foster and develop cooperation between Member States and their institutions in social security matters in order, *inter alia*, to take into account particular questions regarding certain categories of persons; facilitate realisation of actions of crossborder cooperation activities in the area of the coordination of social security systems;
- (d) encourage as far as possible the use of new technologies in order to facilitate the free movement of persons, in particular by modernising procedures for exchanging information and adapting the information flow between institutions for the purposes of exchange by electronic means, taking account of the development of data processing in each Member State; the Administrative Commission shall adopt the common structural rules for data processing services, in particular on security and the use of standards, and shall lay down provisions for the operation of the common part of those services;
- (e) undertake any other function falling within its competence under this Regulation and the Implementing Regulation or any agreement or arrangement concluded thereunder;
- (f) make any relevant proposals to the Commission of the European Communities concerning the coordination of social security schemes, with a view to improving and modernising the Community 'acquis' by drafting subsequent Regulations or by means of other instruments provided for by the Treaty;
- (g) establish the factors to be taken into account for drawing up accounts relating to the costs to be borne by the institutions of the Member States under this Regulation and to adopt the annual accounts between those institutions, based on the report of the Audit Board referred to in Article 74.

Article 73

Technical Commission for Data Processing

1. A Technical Commission for Data Processing (hereinafter called the 'Technical Commission') shall be attached to the Administrative Commission. The Technical Commission shall propose to the Administrative Commission common architecture rules for the operation of data-processing services, in particular on security and the use of standards; it shall deliver reports and a reasoned opinion before decisions are taken by the Administrative Commission pursuant to Article 72(d). The composition and working methods of the Technical Commission shall be determined by the Administrative Commission.

2. To this end, the Technical Commission shall:

- (a) gather together the relevant technical documents and undertake the studies and other work required to accomplish its tasks;
- (b) submit to the Administrative Commission the reports and reasoned opinions referred to in paragraph 1;

Tuesday 20 April 2004

- (c) carry out all other tasks and studies on matters referred to it by the Administrative Commission;
- (d) ensure the management of Community pilot projects using data-processing services and, for the Community part, operational systems using data-processing services.

Article 74

Audit Board

1. An Audit Board shall be attached to the Administrative Commission. The composition and working methods of the Audit Board shall be determined by the Administrative Commission.

The Audit Board shall:

- (a) verify the method of determining and calculating the annual average costs presented by Member States;
- (b) collect the necessary data and carry out the calculations required for establishing the annual statement of claims of each Member State;
- (c) give the Administrative Commission periodic accounts of the results of the implementation of this Regulation and of the Implementing Regulation, in particular as regards the financial aspect;
- (d) provide the data and reports necessary for decisions to be taken by the Administrative Commission under Article 72(g);
- (e) make any relevant suggestions it may have to the Administrative Commission, including those concerning this Regulation, in connection with subparagraphs (a), (b) and (c);
- (f) carry out all work, studies or assignments on matters referred to it by the Administrative Commission.

Article 75

Advisory Committee for the Coordination of Social Security Systems

1. An Advisory Committee for the Coordination of Social Security Systems (hereinafter referred to as 'Advisory Committee') is hereby established, comprising, from each Member State:

- (a) one government representative;
- (b) one representative from the trade unions;
- (c) one representative from the employers' organisations.

For each of the categories referred to above, an alternate member shall be appointed for each Member State.

The members and alternate members of the Advisory Committee shall be appointed by the Council. The Advisory Committee shall be chaired by a representative of the Commission of the European Communities. The Advisory Committee shall draw up its rules of procedure.

2. The Advisory Committee shall be empowered, at the request of the Commission of the European Communities, the Administrative Commission or on its own initiative:

- (a) to examine general questions or questions of principle and problems arising from the implementation of the Community provisions on the coordination of social security systems, especially regarding certain categories of persons;
- (b) to formulate opinions on such matters for the Administrative Commission and proposals for any revisions of the said provisions.

Tuesday 20 April 2004

TITLE V
MISCELLANEOUS PROVISIONS

Article 76

Cooperation

1. The competent authorities of the Member States shall communicate to each other all information regarding:

- (a) measures taken to implement this Regulation;
- (b) changes in their legislation which may affect the implementation of this Regulation.

2. For the purposes of this Regulation, the authorities and institutions of the Member States shall lend one another their good offices and act as though implementing their own legislation. The administrative assistance given by the said authorities and institutions shall, as a rule, be free of charge. However, the Administrative Commission shall establish the nature of reimbursable expenses and the limits above which their reimbursement is due.

3. The authorities and institutions of the Member States may, for the purposes of this Regulation, communicate directly with one another and with the persons involved or their representatives.

4. The institutions and persons covered by this Regulation shall have a duty of mutual information and cooperation to ensure the correct implementation of this Regulation.

The institutions, in accordance with the principle of good administration, shall respond to all queries within a reasonable period of time and shall in this connection provide the persons concerned with any information required for exercising the rights conferred on them by this Regulation.

The persons concerned must inform the institutions of the competent Member State and of the Member State of residence as soon as possible of any change in their personal or family situation which affects their right to benefits under this Regulation.

5. Failure to respect the obligation of information referred to in the third subparagraph of paragraph 4 may result in the application of proportionate measures in accordance with national law. Nevertheless, these measures shall be equivalent to those applicable to similar situations under domestic law and shall not make it impossible or excessively difficult in practice for claimants to exercise the rights conferred on them by this Regulation.

6. In the event of difficulties in the interpretation or application of this Regulation which could jeopardise the rights of a person covered by it, the institution of the competent Member State or of the Member State of residence of the person concerned shall contact the institution(s) of the Member State(s) concerned. If a solution cannot be found within a reasonable period, the authorities concerned may call on the Administrative Commission to intervene.

7. The authorities, institutions and tribunals of one Member State may not reject applications or other documents submitted to them on the grounds that they are written in an official language of another Member State, recognised as an official language of the Community institutions in accordance with Article 290 of the Treaty.

Article 77

Protection of personal data

1. Where, under this Regulation or under the Implementing Regulation, the authorities or institutions of a Member State communicate personal data to the authorities or institutions of another Member State, such communication shall be subject to the data protection legislation of the Member State transmitting them. Any communication from the authority or institution of the receiving Member State as well as the storage, alteration and destruction of the data provided by that Member State shall be subject to the data protection legislation of the receiving Member State.

Tuesday 20 April 2004

2. Data required for the application of this Regulation and the Implementing Regulation shall be transmitted by one Member State to another Member State in accordance with Community provisions on the protection of natural persons with regard to the processing and free movement of personal data.

Article 78

Data processing

1. Member States shall progressively use new technologies for the exchange, access and processing of the data required to apply this Regulation and the Implementing Regulation. The Commission of the European Communities shall lend its support to activities of common interest as soon as the Member States have established such data-processing services.

2. Each Member State shall be responsible for managing its own part of the data-processing services in accordance with the Community provisions on the protection of natural persons with regard to the processing and the free movement of personal data.

3. An electronic document sent or issued by an institution in conformity with this Regulation and the Implementing Regulation may not be rejected by any authority or institution of another Member State on the grounds that it was received by electronic means, once the receiving institution has declared that it can receive electronic documents. Reproduction and recording of such documents shall be presumed to be a correct and accurate reproduction of the original document or representation of the information it relates to, unless there is proof to the contrary.

4. An electronic document shall be considered valid if the computer system on which the document is recorded contains the safeguards necessary in order to prevent any alteration, disclosure or unauthorised access to the recording. It shall at any time be possible to reproduce the recorded information in an immediately readable form. When an electronic document is transferred from one social security institution to another, appropriate security measures shall be taken in accordance with the Community provisions on the protection of natural persons with regard to the processing and the free movement of personal data.

Article 79

Funding of activities in the social security field

In connection with this Regulation and the Implementing Regulation, the Commission of the European Communities may fund in full or in part:

- (a) activities aimed at improving exchanges of information between the social security authorities and institutions of the Member States, particularly the electronic exchange of data;
- (b) any other activity aimed at providing information to the persons covered by this Regulation and their representatives about the rights and obligations deriving from this Regulation, using the most appropriate means.

Article 80

Exemptions

1. Any exemption from or reduction of taxes, stamp duty, notarial or registration fees provided for under the legislation of one Member State in respect of certificates or documents required to be produced in application of the legislation of that Member State shall be extended to similar certificates or documents required to be produced in application of the legislation of another Member State or of this Regulation.

2. All statements, documents and certificates of any kind whatsoever required to be produced in application of this Regulation shall be exempt from authentication by diplomatic or consular authorities.

Tuesday 20 April 2004

Article 81

Claims, declarations or appeals

Any claim, declaration or appeal which should have been submitted, in application of the legislation of one Member State, within a specified period to an authority, institution or tribunal of that Member State shall be admissible if it is submitted within the same period to a corresponding authority, institution or tribunal of another Member State. In such a case the authority, institution or tribunal receiving the claim, declaration or appeal shall forward it without delay to the competent authority, institution or tribunal of the former Member State either directly or through the competent authorities of the Member States concerned. The date on which such claims, declarations or appeals were submitted to the authority, institution or tribunal of the second Member State shall be considered as the date of their submission to the competent authority, institution or tribunal.

Article 82

Medical examinations

Medical examinations provided for by the legislation of one Member State may be carried out at the request of the competent institution, in another Member State, by the institution of the place of residence or stay of the claimant or the person entitled to benefits, under the conditions laid down in the Implementing Regulation or agreed between the competent authorities of the Member States concerned.

Article 83

Implementation of legislation

Special provisions for implementing the legislation of certain Member States are referred to in Annex XI.

Article 84

Collection of contributions and recovery of benefits

1. Collection of contributions due to an institution of one Member State and recovery of benefits provided by the institution of one Member State but not due may be effected in another Member State in accordance with the procedures and with the guarantees and privileges applicable to the collection of contributions due to the corresponding institution of the latter Member State and the recovery of benefits provided by it but not due.
2. Enforceable decisions of the judicial and administrative authorities relating to the collection of contributions, interest and any other charges or to the recovery of benefits provided but not due under the legislation of one Member State shall be recognised and enforced at the request of the competent institution in another Member State within the limits and in accordance with the procedures laid down by the legislation and any other procedures applicable to similar decisions of the latter Member State. Such decisions shall be declared enforceable in that Member State insofar as the legislation and any other procedures of that Member State so require.
3. Claims of an institution of one Member State shall in enforcement, bankruptcy or settlement proceedings in another Member State enjoy the same privileges as the legislation of the latter Member State accords to claims of the same kind.
4. The procedure for implementing this Article, including costs reimbursement, shall be governed by the Implementing Regulation or, where necessary and as a complementary measure, by means of agreements between Member States.

Tuesday 20 April 2004

Article 85

Rights of institutions

1. If a person receives benefits under the legislation of one Member State in respect of an injury resulting from events occurring in another Member State, any rights of the institution responsible for providing benefits against a third party liable to provide compensation for the injury shall be governed by the following rules:

- (a) where the institution responsible for providing benefits is, under the legislation it applies, subrogated to the rights which the beneficiary has against the third party, such subrogation shall be recognised by each Member State;
- (b) where the institution responsible for providing benefits has a direct right against the third party, each Member State shall recognise such rights.

2. If a person receives benefits under the legislation of one Member State in respect of an injury resulting from events occurring in another Member State, the provisions of the said legislation which determine the cases in which the civil liability of employers or of their employees is to be excluded shall apply with regard to the said person or to the competent institution.

Paragraph 1 shall also apply to any rights of the institution responsible for providing benefits against employers or their employees in cases where their liability is not excluded.

3. Where, in accordance with Article 35(3) and/or Article 41(2), two or more Member States or their competent authorities have concluded an agreement to waive reimbursement between institutions under their jurisdiction, or, where reimbursement does not depend on the amount of benefits actually provided, any rights arising against a liable third party shall be governed by the following rules:

- (a) where the institution of the Member State of residence or stay accords benefits to a person in respect of an injury sustained in its territory, that institution, in accordance with the provisions of the legislation it applies, shall exercise the right to subrogation or direct action against the third party liable to provide compensation for the injury;
- (b) for the application of (a):
 - (i) the person receiving benefits shall be deemed to be insured with the institution of the place of residence or stay, and
 - (ii) that institution shall be deemed to be the institution responsible for providing benefits;
- (c) Paragraphs 1 and 2 shall remain applicable in respect of any benefits not covered by the waiver agreement or a reimbursement which does not depend on the amount of benefits actually provided.

Article 86

Bilateral agreements

As far as relations between, on the one hand, Luxembourg and, on the other hand, France, Germany and Belgium are concerned, the application and the duration of the period referred to in Article 65(7) shall be subject to the conclusion of bilateral agreements.

TITLE VI

TRANSITIONAL AND FINAL PROVISIONS

Article 87

Transitional provisions

- 1. No rights shall be acquired under this Regulation for the period before its date of application.
- 2. Any period of insurance and, where appropriate, any period of employment, self-employment or residence completed under the legislation of a Member State prior to the date of application of this Regulation in the Member State concerned shall be taken into consideration for the determination of rights acquired under this Regulation.

Tuesday 20 April 2004

3. Subject to paragraph 1, a right shall be acquired under this Regulation even if it relates to a contingency arising before its date of application in the Member State concerned.
4. Any benefit which has not been awarded or which has been suspended by reason of the nationality or place of residence of the person concerned shall, at the request of that person, be provided or resumed with effect from the date of application of this Regulation in the Member State concerned, provided that the rights for which benefits were previously provided have not given rise to a lump-sum payment.
5. The rights of a person to whom a pension was provided prior to the date of application of this Regulation in a Member State may, at the request of the person concerned, be reviewed, taking into account this Regulation.
6. If a request referred to in paragraph 4 or 5 is submitted within two years from the date of application of this Regulation in a Member State, the rights acquired under this Regulation shall have effect from that date, and the legislation of any Member State concerning the forfeiture or limitation of rights may not be invoked against the persons concerned.
7. If a request referred to in paragraph 4 or 5 is submitted after the expiry of the two-year period following the date of application of this Regulation in the Member State concerned, rights not forfeited or not time-barred shall have effect from the date on which the request was submitted, subject to any more favourable provisions under the legislation of any Member State.
8. If, as a result of this Regulation, a person is subject to the legislation of a Member State other than the one determined in accordance with Title II of Regulation (EEC) No 1408/71, that legislation shall continue to apply as long as the relevant situation remains unchanged, unless the person concerned requests that he be subject to the legislation applicable under this Regulation. The request shall be submitted within three months after the date of application of this Regulation to the competent institution of the Member State whose legislation is applicable under this Regulation if the person concerned is to be subject to the legislation of that Member State as of the date of application of this Regulation. If the request is made after the time limit indicated, the changeover shall take place on the first day of the following month.
9. Article 55 of this Regulation shall apply only to pensions not subject to Article 46c of Regulation (EEC) No 1408/71 on the date of application of this Regulation.
10. The provisions of the second sentences of Article 65(2) and (3) shall be applicable to Luxembourg at the latest two years after the date of application of this Regulation.
11. Member States shall ensure that appropriate information is provided regarding the changes in rights and obligations introduced by this Regulation and the Implementing Regulation.

Article 88

Updating of the Annexes

The Annexes of this Regulation shall be revised periodically.

Article 89

Implementing Regulation

A further Regulation shall lay down the procedure for implementing this Regulation.

Tuesday 20 April 2004

Article 90

Repeal

1. Council Regulation (EEC) No 1408/71 shall be repealed from the date of application of this Regulation.

However, Regulation (EEC) No 1408/71 shall remain in force and shall continue to have legal effect for the purposes of:

- (a) Council Regulation (EC) No 859/2003 of 14 May 2003 extending the provisions of Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 to nationals of third countries who are not already covered by those provisions solely on the ground of their nationality⁽¹⁾, for as long as that Regulation has not been repealed or modified;
- (b) Council Regulation (EEC) No 1661/85 of 13 June 1985 laying down the technical adaptations to the Community rules on social security for migrant workers with regard to Greenland⁽²⁾, for as long as that Regulation has not been repealed or modified;
- (c) the Agreement on the European Economic Area⁽³⁾ and the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons⁽⁴⁾ and other agreements which contain a reference to Regulation (EEC) No 1408/71, for as long as those agreements have not been modified in the light of this Regulation.

2. References to Regulation (EEC) No 1408/71 in Council Directive 98/49/EC of 29 June 1998 on safeguarding the supplementary pension rights of employed and self-employed persons moving within the Community⁽⁵⁾ are to be read as referring to this Regulation.

Article 91

Entry into force

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

It shall apply from the date of entry into force of the Implementing Regulation.

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

⁽¹⁾ OJ L 124, 20.5.2003, p. 1.

⁽²⁾ OJ L 160, 20.6.1985, p. 7.

⁽³⁾ OJ L 1, 3.1.1994, p. 1.

⁽⁴⁾ OJ L 114, 30.4.2002, p. 6. Agreement as last amended by Decision No 2/2003 of the EU-Swiss Committee (OJ L 187, 26.7.2003, p. 55).

⁽⁵⁾ OJ L 209, 25.7.1998, p. 46.

Tuesday 20 April 2004

ANNEX I

ADVANCES OF MAINTENANCE PAYMENTS
AND SPECIAL CHILDBIRTH AND ADOPTION ALLOWANCES
(Article 1(z))

I. Advances of maintenance payments

A. BELGIUM

Advances of maintenance allowances under the law of 21 February 2003 creating a maintenance payments agency within the federal public service, Finance Department

B. DENMARK

Advance payment of child support laid down in the Act on Child Benefits

Advance payment of child support consolidated by Law No 765 of 11 September 2002

C. GERMANY

Advances of maintenance payments under the German law on advances of maintenance payments (Unterhaltsvorschussgesetz) of 23 July 1979

D. FRANCE

Family support allowance paid to a child one of whose parents or both of whose parents are in default or are unable to meet their maintenance obligations or the payment of a maintenance allowance laid down by a court decision

E. AUSTRIA

Advances of maintenance payments under the Federal Law on the grant of advances of child maintenance (Unterhaltsvorschussgesetz 1985 – UVG)

F. PORTUGAL

Advances of maintenance payments (Act No 75/98, 19 November, on the guarantee of maintenance for minors)

G. FINLAND

Maintenance allowance under the Security of Child Maintenance Act (671/1998)

H. SWEDEN

Maintenance allowance under the Maintenance Support Act (1996:1030)

II. Special childbirth and adoption allowances

A. BELGIUM

Childbirth allowance and adoption grant

B. SPAIN

Single payment birth grants

C. FRANCE

Birth or adoption grants as part of the 'early childhood benefit'

D. LUXEMBOURG

Antenatal allowances

Childbirth allowances

E. FINLAND

Maternity package, maternity lump-sum grant and assistance in the form of a lump sum intended to offset the cost of international adoption pursuant to the Maternity Grant Act

Tuesday 20 April 2004

ANNEX II

PROVISIONS OF CONVENTIONS WHICH REMAIN IN FORCE
AND WHICH, WHERE APPLICABLE, ARE RESTRICTED
TO THE PERSONS COVERED THEREBY
(Article 8(1))

The content of this Annex shall be determined by the European Parliament and by the Council in accordance with the Treaty as soon as possible and at the latest by the date of application of this Regulation referred to in Article 91.

ANNEX III

RESTRICTION OF RIGHTS TO BENEFITS IN KIND
FOR MEMBERS OF THE FAMILY OF A FRONTIER WORKER
(Article 18(2))

DENMARK

SPAIN

IRELAND

NETHERLANDS

FINLAND

SWEDEN

UNITED KINGDOM

ANNEX IV

MORE RIGHTS FOR PENSIONERS RETURNING
TO THE COMPETENT MEMBER STATE
(Article 27(2))

BELGIUM

GERMANY

GREECE

SPAIN

FRANCE

ITALY

LUXEMBOURG

AUSTRIA

SWEDEN

Tuesday 20 April 2004

ANNEX V

MORE RIGHTS FOR FORMER FRONTIER WORKERS
WHO RETURN TO THEIR PREVIOUS MEMBER STATE OF ACTIVITY
AS AN EMPLOYED OR SELF-EMPLOYED PERSON
(APPLICABLE ONLY IF THE MEMBER STATE IN WHICH
THE COMPETENT INSTITUTION RESPONSIBLE FOR THE COSTS OF
THE BENEFITS IN KIND PROVIDED TO THE PENSIONER IN HIS
MEMBER STATE OF RESIDENCE IS SITUATED ALSO APPEARS ON THE LIST)
(Article 28(2))

BELGIUM

GERMANY

SPAIN

FRANCE

LUXEMBOURG

AUSTRIA

PORTUGAL

ANNEX VI

IDENTIFICATION OF TYPE A LEGISLATION
WHICH SHOULD BE SUBJECT TO SPECIAL COORDINATION
(Article 44(1))

A. GREECE

Legislation relating to the agricultural insurance scheme (OGA), under Law No 4169/1961

B. IRELAND

Part II, Chapter 15 of the Social Welfare (Consolidation) Act, 1993

C. FINLAND

Invalidity pensions determined according to the National Pensions Act of 8 June 1956 and awarded under the transitional rules of the National Pensions Act (547/93)

National pensions to persons who are disabled or become disabled at an early age (the National Pensions Act (547/93))

D. SWEDEN

Income-related sickness benefit and activity compensation (Act 1962:381 as amended by Act 2001:489)

E. UNITED KINGDOM

(a) Great Britain

Sections 30A(5), 40, 41 and 68 of the Contributions and Benefits Act 1992.

(b) Northern Ireland

Sections 30A(5), 40, 41 and 68 of the Contributions and Benefits (Northern Ireland) Act 1992.

Tuesday 20 April 2004

ANNEX VII

CONCORDANCE BETWEEN THE LEGISLATIONS OF MEMBER STATES
ON CONDITIONS RELATING TO THE DEGREE OF INVALIDITY
(Article 46(3) of the Regulation)

BELGIUM

Member State	Schemes administered by institutions of Member States which have taken a decision recognising the degree of invalidity	Schemes administered by Belgian institutions on which the decision is binding in cases of concordance				
		General scheme	Miners' scheme		Mariners' scheme	Ossom
			General invalidity	Occupational invalidity		
FRANCE	1. General scheme:					
	– Group III (constant attendance)	Concordance	Concordance	Concordance	Concordance	No concordance
	– Group II	Concordance	Concordance	Concordance	Concordance	No concordance
	– Group I	Concordance	Concordance	Concordance	Concordance	No concordance
	2. Agricultural scheme					
	– Total, general invalidity	Concordance	Concordance	Concordance	Concordance	No concordance
	– Two-thirds general invalidity	Concordance	Concordance	Concordance	Concordance	No concordance
	– Constant attendance	Concordance	Concordance	Concordance	Concordance	No concordance
	3. Miners' scheme:					
	– Partial, general invalidity	Concordance	Concordance	Concordance	Concordance	No concordance
	– Constant attendance	Concordance	Concordance	Concordance	Concordance	No concordance
	– Occupational invalidity	No concordance	No concordance	Concordance	No concordance	No concordance
ITALY	4. Mariners' scheme:					
	– General invalidity	Concordance	Concordance	Concordance	Concordance	No concordance
	– Constant attendance	Concordance	Concordance	Concordance	Concordance	No concordance
	– Occupational invalidity	No concordance	No concordance	No concordance	No concordance	No concordance
	1. General scheme:					
	– Invalidity: manual workers	No concordance	Concordance	Concordance	Concordance	No concordance
	– Invalidity: clerical staff	No concordance	Concordance	Concordance	Concordance	No concordance
	2. Mariners' scheme:					
	– Unfitness for seafaring	No concordance	No concordance	No concordance	No concordance	No concordance
LUXEM-BOURG ⁽¹⁾	Workers' invalidity – manual workers	Concordance	Concordance	Concordance	Concordance	No concordance
	Invalidity – clerical staff	Concordance	Concordance	Concordance	Concordance	No concordance

⁽¹⁾ Entries concerning concordance between Luxembourg and France or Belgium will be the subject of technical re-examination taking account of the changes which have been made to national legislation in Luxembourg.

Tuesday 20 April 2004

FRANCE

Member State	Schemes administered by institutions of Member States which have taken a decision recognising the degree of invalidity	Schemes administered by French institutions on which the decision is binding in cases of concordances											
		General scheme				Agricultural scheme			Miners' scheme			Mariners' scheme	
		Group I	Group II	Group III Constant attendance	2/3 Invalidity		Constant attendance	2/3 General invalidity	Constant attendance		2/3 General invalidity	Total occupational invalidity	Constant attendance
BELGIUM	1. General scheme	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	No concordance	No concordance	No concordance
	2. Miners' scheme												
	- partial general invalidity	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	No concordance	No concordance	No concordance
	- occupational invalidity				No concordance	No concordance	No concordance	No concordance	No concordance	Concordance ⁽²⁾	No concordance	No concordance	No concordance
	3. Mariners' scheme	Concordance ⁽¹⁾	No concordance	No concordance	Concordance ⁽¹⁾	No concordance	No concordance	Concordance ⁽¹⁾	No concordance	No concordance	No concordance	No concordance	No concordance
ITALY	1. General scheme												
	- invalidity manual workers	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	No concordance	No concordance	No concordance
	- invalidity clerical staff	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	No concordance	No concordance	No concordance
	2. Mariners' scheme	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance
LUXEMBOURG ⁽³⁾	Invalidity - manual workers	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	Concordance	No concordance	No concordance	No concordance	No concordance	No concordance
	Invalidity - clerical staff	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance	No concordance

(1) In so far as the invalidity recognised by the Belgian institutions is general invalidity.

(2) Only if the Belgian institution has recognised that the worker is unfit for work underground or at ground level.

(3) Entries concerning concordance between Luxembourg and France or Belgium will be the subject of technical re-examination taking account of the changes which have been made to national legislation in Luxembourg.

Tuesday 20 April 2004

ITALY

Member State	Schemes administered by institutions of Member States which have taken a decision recognising the degree of invalidity	Schemes administered by Italian institutions on which the decision is binding in cases of concordance		
		General scheme		Mariners Unfit for navigation
		Manual workers	Clerical staff	
BELGIUM	1. General scheme	No concordance	No concordance	No concordance
	2. Miners' scheme			
	– partial general invalidity	Concordance	Concordance	No concordance
	– occupational invalidity	No concordance	No concordance	No concordance
	3. Mariners' scheme	No concordance	No concordance	No concordance
FRANCE	1. General scheme			
	– Group III (constant attendance)	Concordance	Concordance	No concordance
	– Group II	Concordance	Concordance	No concordance
	– Group I	Concordance	Concordance	No concordance
	2. Agricultural scheme			
	– total general invalidity	Concordance	Concordance	No concordance
	– partial general invalidity	Concordance	Concordance	No concordance
	– constant attendance	Concordance	Concordance	No concordance
	3. Miners' scheme			
	– partial general invalidity	Concordance	Concordance	No concordance
	– constant attendance	Concordance	Concordance	No concordance
	– occupational invalidity	No concordance	No concordance	No concordance
	4. Mariners' scheme			
	– partial general invalidity	No concordance	No concordance	No concordance
	– constant attendance	No concordance	No concordance	No concordance
	– occupational invalidity			

Tuesday 20 April 2004

LUXEMBOURG ⁽¹⁾

Member State	Schemes administered by institutions of Member States which have taken a decision recognising the degree of invalidity	Schemes administered by Luxembourg institutions on which the decision is binding in cases of concordance	
		Invalidity – manual workers	Invalidity – clerical staff
BELGIUM	1. General scheme	Concordance	Concordance
	2. Miners' scheme		
	– partial general invalidity	Non-concordance	Non-concordance
	– occupational invalidity	Non-concordance	Non-concordance
	3. Mariners' scheme	Concordance ⁽¹⁾	Concordance ⁽¹⁾
FRANCE	1. General scheme:		
	– Group III (constant attendance)	Concordance	Concordance
	– Group II	Concordance	Concordance
	– Group I	Concordance	Concordance
	2. Agricultural scheme:		
	– total general invalidity	Concordance	Concordance
	– two-thirds general invalidity	Concordance	Concordance
	– constant attendance	Concordance	Concordance
	3. Miners' scheme		
	– two-thirds general invalidity	Concordance	Concordance
	– constant attendance	Concordance	Concordance
	– total general invalidity	No concordance	No concordance
	4. Mariners' scheme:		
	– partial general invalidity	Concordance	Concordance
	– constant attendance	Concordance	Concordance
	– occupational invalidity	No concordance	No concordance

⁽¹⁾ In so far as the invalidity recognised by the Belgian institution is general invalidity.

⁽¹⁾ Entries concerning concordance between Luxembourg and France or Belgium will be the subject of technical re-examination taking account of the changes which have been made to national legislation in Luxembourg.

Tuesday 20 April 2004

ANNEX VIII

CASES IN WHICH THE INDEPENDENT BENEFIT
IS EQUAL TO OR HIGHER THAN THE PRO-RATA BENEFIT
(Article 52(4))

A. DENMARK

All applications for pensions referred to in the law on social pensions, except for pensions mentioned in Annex IX

B. FRANCE

All applications for pension benefits or survivor's benefits under supplementary retirement schemes for employees or self-employed workers, with the exception of applications for old-age or widow's pensions under the supplementary retirement scheme for professional cabin crew in civil aviation

C. IRELAND

All applications for retirement pensions, old-age (contributory) pensions, widow's (contributory) pension and widower's (contributory) pension

D. NETHERLANDS

Where a person is entitled to a pension on the basis of the Netherlands' law on general old-age insurance (AOW)

E. PORTUGAL

Invalidity, old-age and survivors' pension claims, except for the cases where the total periods of insurance completed under the legislation of more than one Member State are equal to or longer than 21 calendar years, the national periods of insurance are equal to, or less than, 20 years, and the calculation is made under Article 11 of Decree-Law No 35/2002, 19 February, which defines the rules for the determination of the pension amount. In such cases, by applying more favourable pension formation rates, the amount resulting from the pro-rata calculation may be higher than that resulting from the independent calculation.

F. SWEDEN

Earnings-related old-age pension (Act 1998:674), earnings-related survivor's pension in the form of adjustment pension and child's pension allowance when the death occurred before 1 January 2003 and widow's pension (Act 2000:461 and Act 2000:462)

G. UNITED KINGDOM

All applications for retirement pension, widows' and bereavement benefits determined pursuant to the provisions of Title III, Chapter 5 of the Regulation, with the exception of those for which:

- (a) during a tax year beginning on or after 6 April 1975:
 - (i) the party concerned had completed periods of insurance, employment or residence under the legislation of the United Kingdom and another Member State; and
 - (ii) one (or more) of the tax years referred to in (i) was not considered a qualifying year within the meaning of the legislation of the United Kingdom;
 - (b) the periods of insurance completed under the legislation in force in the United Kingdom for the periods prior to 5 July 1948 would be taken into account for the purposes of Article 52(1)(b) of the Regulation by application of the periods of insurance, employment or residence under the legislation of another Member State.
-

ANNEX IX

BENEFITS AND AGREEMENTS WHICH ALLOW THE APPLICATION OF ARTICLE 54

- I. Benefits referred to in Article 54(2)(a) of the Regulation, the amount of which is independent of the length of periods of insurance or residence completed

A. BELGIUM

Benefits relating to the general invalidity scheme, the special invalidity scheme for miners and the special scheme for merchant navy mariners

Benefits on insurance for self-employed persons against incapacity to work

Benefits relating to invalidity in the overseas social insurance scheme and the invalidity scheme for former employees of the Belgian Congo and Ruanda-Urundi

B. DENMARK

The full Danish national old-age pension acquired after 10 years' residence by persons who will have been awarded a pension by 1 October 1989

C. GREECE

Benefits under Law No 4169/1961 relating to the agricultural insurance scheme (OGA)

D. SPAIN

Survivors' pensions granted under the general and special schemes, with the exception of the Special Scheme for Civil Servants

E. FRANCE

Invalidity pension under the general social security system or under the agricultural workers scheme

Widower's or widow's invalidity pension under the general social security system or under the agricultural workers scheme where it is calculated on the basis of the deceased spouse's invalidity pension settled in accordance with Article 52(1)(a)

F. IRELAND

Type A Invalidity Pension

G. NETHERLANDS

The law of 18 February 1966 on invalidity insurance for employees, as amended (WAO)

The law of 24 April 1997 on invalidity insurance for self-employed persons, as amended (WAZ)

The law of 21 December 1995 on general insurance for surviving dependants (ANW)

H. FINLAND

National pensions to persons who are born disabled or become disabled at an early age (National Pensions Act 547/93)

National pensions determined according to the National Pensions Act of 8 June 1956 and awarded under the transitional rules of the National Pensions Act (547/93)

The additional amount of the child's pension in accordance with the Survivors Pension Act of 17 January 1969

I. SWEDEN

Earnings-related survivor's pension in the form of child's pension allowance and adjustment pension when the death occurred on 1 January 2003 or later when the deceased was born in 1938 or later (Act 2000:461)

Tuesday 20 April 2004

- II. Benefits referred to in Article 54(2)(b) of the Regulation, the amount of which is determined by reference to a credited period deemed to have been completed between the date on which the risk materialised and a later date
- A. GERMANY
- Invalidity and survivors' pensions, for which account is taken of a supplementary period
- Old-age pensions, for which account is taken of a supplementary period already acquired
- B. SPAIN
- The pensions for retirement or retirement for permanent disability (invalidity) under the Special Scheme for Civil Servants due under Title I of the consolidated text of the Law on State Pensioners if at the time of materialisation of the risk the beneficiary was an active civil servant or treated as such; death and survivors' (widows'/widowers', orphans' and parents') pensions due under Title I of the consolidated text of the Law on State Pensioners if at the time of death the civil servant was active or treated as such
- C. ITALY
- Italian pensions for total incapacity for work (inabilità)
- D. LUXEMBOURG
- Invalidity and survivors' pensions
- E. FINLAND
- Employment pensions for which account is taken of future periods according to the national legislation
- F. SWEDEN
- Sickness benefit and activity compensation in the form of guarantee benefit (Act 1962:381)
- Survivor's pension calculated on the basis of assumed insurance periods (Act 2000:461 and 2000:462)
- Old-age pension in the form of guarantee pension calculated on the basis of assumed periods previously counted (Act 1998:702)
- III. Agreements referred to in Article 54(2)(b)(i) of the Regulation intended to prevent the same credited period being taken into account two or more times:
- The Social Security Agreement of 28 April 1997 between the Republic of Finland and the Federal Republic of Germany
- The Social Security Agreement of 10 November 2000 between the Republic of Finland and the Grand Duchy of Luxembourg
- Nordic Convention of 15 June 1992 on social security

ANNEX X

SPECIAL NON-CONTRIBUTORY CASH BENEFITS
(Article 70(2)(c))

The content of this Annex shall be determined by the European Parliament and by the Council in accordance with the Treaty as soon as possible and at the latest before the date of application of this Regulation as referred to in Article 91.

Tuesday 20 April 2004

ANNEX XI

SPECIAL PROVISIONS FOR THE APPLICATION
OF THE LEGISLATION OF THE MEMBER STATES
(Articles 51(3), 56(1) and 83)

The content of this Annex shall be determined by the European Parliament and by the Council in accordance with the Treaty as soon as possible and at the latest before the date of application of this Regulation as referred to in Article 91.

P5_TA(2004)0294

Minimum safety requirements for tunnels in the Trans-European Road Network *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on minimum safety requirements for tunnels in the Trans-European Road Network (5238/1/2004 – C5-0118/2004 – 2002/0309(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (5238/1/2004 – C5-0118/2004) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2002) 769) ⁽³⁾,
- having regard to the amended proposal (COM(2004) 147) ⁽⁴⁾,
- 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 (A5-0249/2004),

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 Commission.

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ Texts Adopted, 9.10.2003, P5_TA(2003)0425.

⁽³⁾ Not yet published in the OJ.

⁽⁴⁾ Not yet published in the OJ.

Tuesday 20 April 2004

P5_TA(2004)0295

Quality of ambient air ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (COM(2003) 423 – C5-0331/2003 – 2003/0164(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 423) ⁽¹⁾,
- having regard to Articles 251(2) and Article 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0331/2003),
- 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 (A5-0047/2004),

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 the OJ.

P5_TC1-COD(2003)0164

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air

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,

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) On the basis of principles enshrined in Article 175(3) of the Treaty, the Sixth Community Environment Action Programme adopted by Decision No 1600/2002/EC of the European Parliament and of the Council ⁽⁴⁾ establishes the need to attain levels of pollution which minimise harmful effects on human health, **paying particular attention to sensitive populations**, and the environment **as a whole**, and to improve the monitoring and assessment of air quality including the deposition of pollutants, and to provide information to the public.

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ *Position of the European Parliament of 20 April 2004.*

⁽⁴⁾ OJ L 242, 10.9.2002, p. 1.

Tuesday 20 April 2004

- (2) Article 4(1) of Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management ⁽¹⁾, foresees that the Commission would submit proposals for regulating the pollutants listed in Annex I to that Directive taking into account the provisions laid down in paragraphs 3 and 4 of that Article.
- (3) Scientific evidence shows that arsenic, cadmium, nickel and some polycyclic aromatic hydrocarbons are human genotoxic carcinogens and that there is no identifiable threshold below which these substances do not pose a risk to human health. Impact on human health and the environment occurs via concentrations in ambient air, and via deposition. With a view to **economic feasibility**, ambient air concentrations of arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons, which would not pose a significant risk to human health, cannot be achieved in specific areas.
- (4) **With the aim of minimising harmful effects on human health, paying particular attention to sensitive populations, and the environment as a whole, of airborne arsenic, cadmium and nickel and polycyclic aromatic hydrocarbons, target values shall be set, to be attained as far as possible.** Benzo(a)pyrene shall be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient **air**.
- (5) **The target values** would not require any measures entailing **disproportionate** costs. Regarding industrial installations they would not **involve measures** beyond the application of BAT as required by Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ⁽²⁾ and in particular would not lead to the **closure of** installations. However, they would require Member States to take all cost-effective abatement measures in the relevant **sectors**.
- (6) **In particular, the target values of this Directive are not to be considered as environmental quality standards as defined in Article 2(7) of Directive 96/61/EC and which, according to Article 10 of that Directive, require stricter conditions than those achievable by the use of best available techniques.**
- (7) **In** accordance with Article 176 of the Treaty, Member States may maintain or introduce more stringent protective measures relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons provided that they are compatible with the Treaty and that they are notified to the Commission.
- (8) **Where concentrations exceed certain assessment thresholds monitoring of arsenic, cadmium, nickel and benzo(a)pyrene shall be mandatory. Supplementary means of assessment may reduce the required number of sampling points for fixed measurements. Further monitoring of background ambient air concentrations and deposition is foreseen.**
- (9) **Mercury is a very hazardous substance for human health and the environment. It is present throughout the environment and, in the form of methylmercury, has the capacity to accumulate in organisms, and in particular to concentrate in organisms higher up the food chain. Mercury released into the atmosphere is capable of being transported over long distances.**
- (10) **The Commission intends to come forward in 2004 with a coherent strategy containing measures to protect human health and the environment from the release of mercury, based on a life-cycle approach, and taking into account production, use, waste treatment and emissions. In this context, the Commission should consider all appropriate measures with a view to reducing the quantity of mercury in terrestrial and aquatic ecosystems, and thereby the ingestion of mercury via food, and avoiding mercury in certain products.**

⁽¹⁾ OJ L 296, 21.11.1996, p. 55. Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 257, 10.10.1996, p. 26. Directive as last amended by Regulation (EC) No 1882/2003.

Tuesday 20 April 2004

- (11) *The effects of arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons on human health, including via the food chain, and the environment as a whole, occur through concentrations in ambient air and via deposition; the accumulation of these substances in soils and the protection of ground water have to be taken into account.* In order to facilitate review of this Directive in 2010, the Commission and the Member States should consider promoting research into the effects of arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons on human health and the environment, particularly via deposition.
- (12) Standardised accurate measurement techniques and common criteria for the location of measuring stations are important elements in assessing ambient air quality so that the information obtained is comparable throughout the Community. *Providing reference measurement methods is acknowledged to be an important issue. The Commission has already mandated work on the preparation of CEN standards for the measurement of those constituents in ambient air where target values are defined (arsenic, cadmium, nickel and benzo(a)pyrene) as well as for the deposition of heavy metals with a view to their early development and adoption. In the absence of CEN standard methods, international or national standard reference measurement methods can be used.*
- (13) Information on the concentrations and the deposition of the regulated pollutants should be forwarded to the Commission as a basis for regular reports.
- (14) Up-to-date information on ambient air concentrations and deposition of regulated pollutants should be readily available to the public.
- (15) The Member States should lay down rules on penalties applicable to infringements of the provisions of this Directive and ensure that they are implemented. Those penalties must be effective, proportionate and dissuasive.
- (16) 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⁾
- (17) The amendments necessary for adaptation to scientific and technical progress should relate solely to criteria and techniques for the assessment of concentrations and deposition of regulated pollutants or detailed arrangements for forwarding information to the Commission. They should not have the effect of modifying the target **values** either directly or indirectly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Objectives

This Directive:

- (a) establishes a target value for the concentration of **arsenic, cadmium, nickel and benzo(a)pyrene** in ambient air so as to avoid, prevent or reduce harmful effects of **arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons** on human health *and the environment as a whole*;
- (b) ensures, *with respect to arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons*, that ambient air quality is maintained where it is good and that it is improved in other *cases*;
- (c) determines common methods and criteria for the assessment of concentrations of arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air as well as of the deposition of arsenic, cadmium, **nickel**, mercury and polycyclic aromatic hydrocarbons;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Tuesday 20 April 2004

- (d) ensures that adequate information on concentrations of arsenic, cadmium, **nickel**, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air as well as on the deposition of arsenic, cadmium, mercury and polycyclic aromatic hydrocarbons is obtained and ensures that it is made available to the public.

Article 2

Definitions

For the purposes of this Directive the definitions in Article 2 of Directive 96/62/EC, with the exception of the definition of 'target value', shall apply.

The following definitions shall also apply:

- (a) 'target value' means a concentration in the ambient air fixed with the aim of **avoiding, preventing or reducing** harmful effects on human health and the environment **as a whole, to be attained where possible over a given period**;
- (b) '**total or bulk deposition**' means the total mass of pollutants which is transferred from the atmosphere to surfaces (e.g. soil, vegetation, water, buildings, etc.) onto a given area within a given time;
- (c) '**upper assessment threshold**' means a level specified in **Annex II below which a combination of measurements and modelling techniques may be used to assess ambient air quality**, in accordance with **Article 6(3) of Directive 96/62/EC**;
- (d) '**lower assessment threshold**' means a level specified in **Annex II below which the sole use of modelling or objective estimation techniques may be used to assess ambient air quality, in accordance with Article 6(4) of Directive 96/62/EC**;
- (e) 'fixed measurements' means measurements taken at fixed sites either continuously or by random sampling, **in accordance with Article 6(5) of Directive 96/62/EC**;
- (f) 'arsenic', 'cadmium', 'nickel' and 'benzo(a)pyrene' mean the total content of these elements **and compounds** in the PM₁₀ fraction;
- (g) 'PM₁₀' means particulate matter which passes through a size-selective inlet as defined in **EN 12341** with a 50 % efficiency cut-off at 10 µm aerodynamic diameter;
- (h) 'polycyclic aromatic hydrocarbons' means those organic compounds, composed of at least two fused aromatic rings made entirely from carbon and hydrogen;
- (i) 'total gaseous mercury' means elemental mercury vapour (Hg⁰) and reactive gaseous mercury, i.e. water-soluble mercury species with sufficiently high vapour pressure to exist in the gas phase.

Article 3

Target values

1. Member States shall take all necessary measures not entailing **disproportionate** costs to ensure that, **as from 31 December 2012**, concentrations of **arsenic, cadmium, nickel and benzo(a)pyrene, used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons**, in ambient air, as assessed in accordance with Article 4, do not exceed **the target values laid down in Annex I**.

2. Member States shall draw up a list of zones and agglomerations in which the levels of **arsenic, cadmium, nickel and benzo(a)pyrene** are below the **respective target values**. Member States shall maintain the levels of **these pollutants** in these zones and agglomerations below the **respective target values** and shall endeavour to preserve the best ambient air quality, compatible with sustainable development.

Tuesday 20 April 2004

3. Member States shall draw up a list of the zones and agglomerations where the target **values** laid down in **Annex I** are exceeded.

For such zones and agglomerations, Member States shall specify the areas of exceedance and the sources contributing to this exceedance. In the areas concerned Member States must demonstrate the application of all necessary measures not entailing **disproportionate** costs, **directed** in particular at the predominant emission sources, **in order to attain the target values. In the case of industrial installations covered by Directive 96/61/EC this means** the application of best available techniques as defined by Article 2(11) of **that Directive**.

Article 4

Assessment of ambient air concentrations and deposition rates

1. Ambient air quality of arsenic, cadmium, nickel **and benzo(a)pyrene shall** be assessed throughout the territory of the Member **States**.

2. **In accordance with the criteria referred to in paragraph 7, measurement is mandatory in the following zones:**

- **zones and agglomerations in which levels are between the upper and the lower assessment threshold, and**
- **other zones and agglomerations where levels exceed the upper assessment threshold.**

The measurements provided for may be supplemented by modelling techniques to provide an adequate level of information on ambient air quality.

3. **A combination of measurements, including indicative measurements as laid down in Annex IV, Section I, and modelling techniques may be used to assess ambient air quality in zones and agglomerations where the levels over a representative period are between the upper and lower assessment thresholds, to be determined in accordance with the provisions referred to in Annex II, Section II.**

4. **In zones and agglomerations where the levels are below the lower assessment level, to be determined in accordance with the provisions referred to in Annex II, Section II, the sole use of modelling or objective estimation techniques for assessing levels shall be possible.**

5. **Where pollutants have to be measured, the measurements shall be taken at fixed sites either continuously or by random sampling; the number of measurements shall be sufficiently large to enable the levels to be determined.**

6. **The upper and lower assessment thresholds for arsenic, cadmium, nickel and benzo(a)pyrene in ambient air shall be those laid down in Section I of Annex II. The classification of each zone or agglomeration for the purposes of this article shall be reviewed at least every five years in accordance with the procedure laid down in Section II of Annex II to this Directive. Classification shall be reviewed earlier in the event of significant change in activities relevant to concentrations of arsenic, cadmium, nickel and benzo(a)pyrene, in ambient air.**

7. **The criteria for determining the location of sampling points for the measurement of arsenic, cadmium, nickel and benzo(a)pyrene in ambient air in order to assess compliance with the target values shall be those listed in Sections I and II of Annex III. The minimum number of sampling points for fixed measurements of concentrations of each pollutant shall be as laid down in Section IV of Annex III, and they shall be installed in each zone or agglomeration within which measurement is required if fixed measurement is the sole source of data on concentrations within it.**

8. **To assess the contribution of benzo(a)pyrene in ambient air each Member State shall monitor other relevant polycyclic aromatic hydrocarbons at a limited number of measurement sites. These compounds shall include at least: benzo(a)anthracene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, indeno(1,2,3-cd)pyrene, and dibenz(a,h)anthracene. Monitoring sites for these**

Tuesday 20 April 2004

polycyclic aromatic hydrocarbons shall be co-located with sampling sites for benzo(a)pyrene and must be selected in such a way that geographical variation and long-term trends can be identified. Sections I, II and III of Annex III shall apply.

9. Irrespective of concentration levels one **background** sampling point **shall** be installed every **100 000 km²** for the indicative measurement, **in ambient air**, of arsenic, cadmium, **nickel**, total gaseous mercury, **benzo(a)pyrene** and **the other** polycyclic aromatic hydrocarbon compounds referred to in paragraph 8 and of the total deposition of arsenic, cadmium, **nickel**, mercury, **benzo(a)pyrene** and **the other** polycyclic aromatic hydrocarbons referred to in paragraph 8. Each Member State shall set up at least one measuring station; **however, Member States may, by agreement, and in accordance with guidelines to be drawn up under the procedure laid down in Article 6, set up one or several common measuring stations, covering neighbouring zones in adjoining Member States, to achieve the necessary spatial resolution. Measurement of particulate and gaseous divalent mercury is also recommended.** Where appropriate, monitoring should be co-ordinated with the EMEP monitoring strategy and measurement programme. **The sampling sites for these pollutants should be selected in such a way that geographical variation and long-term trends can be identified. Sections I, II and III of Annex III shall apply.**

10. **The use of bio indicators** may be considered where regional patterns of the impact on ecosystems shall be assessed.

11. **For zones and agglomerations within which information from fixed measurement stations is supplemented by information from other sources, such as emission inventories, indicative measurement methods and air quality modelling, the number of fixed measuring stations to be installed and the spatial resolution of other techniques shall be sufficient for the concentrations of air pollutants to be established in accordance with Section I of Annex III and Section I of Annex IV.**

12. **Data** quality objectives **are** laid down in Section I of Annex IV. Where air quality models are used for assessment, Section II of Annex IV shall apply.

13. The reference methods for the sampling and analysis of arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons **in ambient air** shall be as laid down in **Sections I, II and III of Annex V. Section IV of Annex V will set out reference techniques for measuring the total deposition of arsenic, cadmium, nickel, mercury and the polycyclic aromatic hydrocarbons and Section V of Annex V refers to reference air quality modelling techniques when such techniques are available.**

14. The date by which Member States shall inform the Commission of the methods used for the preliminary assessment of air quality under point (d) of Article 11(1) of Directive 96/62/EC shall be the date set out in Article 10 of this Directive.

15. Any amendments necessary to adapt the provisions of **this Article and** of Section II of **Annex II** and of **Annexes III to V** to scientific and technical progress shall be adopted in accordance with the procedure referred to in Article 6(2) but may not result in any direct or indirect changes **to target values.**

Article 5

Transmission of information and reporting

1. With regard to the zones and agglomerations where any of the **target values** laid down in Annex I is exceeded, Member States shall forward the following information to the Commission:

- (a) the lists of the zones and agglomerations concerned,
- (b) the areas of exceedance,
- (c) the concentration values assessed,
- (d) the reasons for exceedance, and in particular any sources contributing to it,
- (e) the population exposed to **such exceedance.**

Tuesday 20 April 2004

Member States shall also report all data assessed in accordance with Article 4, ***unless already reported under Council Decision 97/101/EC of 27 January 1997 establishing a reciprocal exchange of information and data from networks and original stations measuring ambient air pollution within the Member States***⁽¹⁾.

The information shall be transmitted for each calendar year, no later than 30 September of the following year, and for the first time ***for the calendar year following the date referred to in Article 10.***

2. In addition to the requirements laid down in paragraph 1 Member States shall ***also report*** any measures taken pursuant to **Article 3**.

3. The Commission shall ensure that all information submitted pursuant to paragraph 1 is promptly made available to the public by appropriate means, ***such as Internet, press and other easily accessible media.***

4. The Commission shall adopt, in accordance with the procedure referred to in Article 6(2), any detailed arrangements for forwarding the information to be provided under paragraph 1 of this Article.

Article 6

Committee

1. The Commission shall be assisted by the committee established by Article 12(2) of Directive **96/62/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.

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

Article 7

Public information

1. Member States shall ensure that clear and comprehensible information is accessible and is routinely made available to the public as well as to appropriate organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive populations and other relevant health-care bodies, on ambient air concentrations of arsenic, cadmium, ***nickel***, mercury and ***benzo(a)pyrene and the other*** polycyclic aromatic hydrocarbons ***referred to in Article 4(8)*** as well as on deposition rates of arsenic, cadmium, ***nickel***, mercury and ***benzo(a)pyrene and the other*** polycyclic aromatic hydrocarbons ***referred to in Article 4(8)***.

2. The information shall also indicate any annual exceedance of the target ***values*** for ***arsenic, cadmium, nickel and benzo(a)pyrene*** laid down in **Annex I**. The information shall give the reasons for the exceedance and the area to which it applies. It shall also provide a short assessment in relation to the target value and appropriate information regarding effects on health ***and impact on the environment.***

Information on any measures taken pursuant to **Article 3** shall be made available to the organisations referred to in paragraph 1 of this Article.

3. The information shall be made available by means of, for example, ***Internet, press, and other easily accessible media.***

⁽¹⁾ ***OJ L 35, 5.2.1997, p. 14. Decision as amended by Commission Decision 2001/752/EC (OJ L 282, 26.10.2001, p. 69).***

Tuesday 20 April 2004

Article 8

Report and Review

1. The Commission shall, by **31 December 2010** at the latest, submit to the European Parliament and the Council a report based on the experience acquired in the application of this Directive and, in particular, on the results of the most recent scientific research concerning the effects on human health, paying particular attention to sensitive populations, **and on the environment as a whole**, of exposure to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons, and on technological developments including the progress achieved in methods of measuring and otherwise assessing concentrations of these pollutants in ambient air as well as their deposition.

2. The report referred to in paragraph 1 shall take into **account**:

- (a) current air quality, trends and projections up to and beyond 2015;
- (b) the scope for making further reductions in polluting emissions from all relevant sources, **and the possible merit in introducing limit values aimed at reducing the risk to human health, for the pollutants listed in Annex I**, taking account of technical feasibility and cost-effectiveness **and any significant additional health and environmental protection that this would provide**;
- (c) the relationships between pollutants and opportunities for combined strategies for improving Community air quality and related objectives;
- (d) current and future requirements for informing the public and for the exchange of information between Member States and Commission;
- (e) the experience acquired in the application of this Directive in Member States, and in particular the conditions under which measurement has been carried out as laid down in Annex III;
- (f) **secondary economic benefits for the environment and health in reducing the emissions of arsenic, cadmium, nickel, mercury and polycyclic aromatic hydrocarbons to the extent that these can be assessed**;
- (g) **the adequacy of the particle size fraction used for sampling in view of general particulate matter measurement requirements**;
- (h) **the suitability of benzo(a)pyrene as a marker for the total carcinogenic activity of polycyclic aromatic hydrocarbons, having regard to predominantly gaseous forms of polycyclic aromatic hydrocarbons such as fluoranthene**.

In the light of the latest scientific and technological developments the Commission shall also examine the effect of arsenic, cadmium and nickel on human health with a view to quantifying their genotoxic carcinogenicity. Taking account of measures adopted pursuant to the mercury strategy the Commission shall also consider whether there would be merit in taking further action in relation to mercury, taking account of technical feasibility and cost-effectiveness and any significant additional health and environmental protection that this would provide.

3. With a view to achieving levels of ambient air concentrations that would **further reduce** harmful effects on human health and would **lead to a high level of** protection of the environment **as a whole**, taking into account the economic and technical feasibility of further action, the report referred to in paragraph 1 may be accompanied, if appropriate, by proposals for amendments to this Directive, **particularly taking into account the results obtained in accordance with paragraph 2**. In addition the Commission shall consider regulating the deposition of **arsenic**, cadmium, **nickel**, mercury and specific polycyclic aromatic hydrocarbons.

Tuesday 20 April 2004

Article 9

Penalties

Member States shall determine the penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all the measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

Article 10

Implementation

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.

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 reference is to be made.

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

Article 11

Entry into force

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

Article 12

Addressees

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

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

ANNEX I

TARGET VALUES FOR ARSENIC, CADMIUM, NICKEL AND BENZO(A)PYRENE

Pollutant	Target value (⁽¹⁾)
Arsenic	6 ng/m ³
Cadmium	5 ng/m ³
Nickel	20 ng/m ³
Benzo(a)pyrene	1 ng/m ³

(⁽¹⁾) For the total content in the PM₁₀ fraction averaged over a calendar **year**.

Tuesday 20 April 2004

ANNEX II

**DETERMINATION OF REQUIREMENTS
FOR ASSESSMENT OF CONCENTRATIONS OF ARSENIC,
CADMIUM, NICKEL AND BENZO(A)PYRENE IN AMBIENT AIR
WITHIN A ZONE OR AGGLOMERATION**

I. Upper and lower assessment thresholds. The following upper and lower assessment thresholds will apply:

	Arsenic	Cadmium	Nickel	B(a)P
Upper assessment threshold in percent of the target value	60 % (3,6 ng/m ³)	60 % (3 ng/m ³)	70 % (14 ng/m ³)	60 % (0,6 ng/m ³)
Lower assessment threshold in percent of the target value	40 % (2,4 ng/m ³)	40 % (2 ng/m ³)	50 % (10 ng/m ³)	40 % (0,4 ng/m ³)

II. Determination of exceedances of upper and lower assessment thresholds

Exceedances of upper and lower assessment thresholds must be determined on the basis of concentrations during the previous five years where sufficient data are available. An assessment threshold will be deemed to have been exceeded if it has been exceeded during at least three separate years out of those previous five years.

Where fewer than five years' data are available, Member States may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels with results obtained from information from emission inventories and modelling to determine exceedances of the upper and lower assessment thresholds.

ANNEX III

**LOCATION AND MINIMUM NUMBER OF SAMPLING POINTS
FOR THE MEASUREMENT OF CONCENTRATIONS IN AMBIENT AIR
AND DEPOSITION RATES**

I. Macroscale siting

The sites of sampling points should be selected in such a way as to:

- to provide data on the areas within zones and agglomerations where the population is likely to be directly or indirectly exposed to the highest concentrations averaged over a calendar year;
- to provide data on levels in other areas within zones and agglomerations which are representative of the exposure of the general population.
- **to provide data on deposition rates representing the indirect exposure of the population through the food chain.**

Sampling points should in general be sited so as to avoid measuring very small micro-environments in their immediate vicinity. As a guideline, a sampling point should be representative of air quality in surrounding areas of no less than 200 m² at traffic-orientated sites, at least **250 m × 250 m** at industrial sites, **where feasible**, and several square kilometres at urban-background sites.

Where the objective is to assess background levels the sampling site should not be influenced by agglomerations or industrial sites in its vicinity, i.e. sites closer than a few **kilometres**.

Tuesday 20 April 2004

Where contributions from industrial sources shall be assessed at least one sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known an additional sampling point shall be situated within the main wind direction. In particular where Article 3(3) applies, the sampling points should be sited such that the application of best available techniques can be monitored.

Sampling points should also, where possible, be representative of similar locations not in their immediate vicinity. Where appropriate they should be co-located with sampling points for PM₁₀.

II. Microscale siting

The following guidelines should be met as far as practicable:

- the flow around the inlet sampling probe should be unrestricted, without any obstructions affecting the airflow in the vicinity of the sampler (normally some metres away from buildings, balconies, trees and other obstacles and at least 0,5 m from the nearest building in the case of sampling points representing air quality at the building line);
- in general, the inlet sampling point should be between 1,5 m (the breathing zone) and 4 m above the ground. Higher positions (up to 8 m) may be necessary in some circumstances. Higher siting may also be appropriate if the station is representative of a large area;
- the inlet probe should not be positioned in the immediate vicinity of sources in order to avoid direct intake of emissions unmixed with ambient air;
- the sampler's exhaust outlet should be positioned so that recirculation of exhaust air to the sample inlet is avoided;
- traffic-orientated sampling points should be at least 25 metres from the edge of major junctions and at least 4 m from the centre of the nearest traffic lane; inlets should be **sited so as to be representative of air quality near to the building line**;
- **for the deposition measurements in rural background areas, the EMEP guidelines and criteria should be applied as far as practicable and where not provided for in these annexes.**

The following factors may also be taken into account:

- interfering sources;
- security;
- access;
- availability of electrical power and telephone communications;
- visibility of the site in relation to its surroundings;
- safety of public and operators;
- the desirability of co-locating sampling points for different pollutants;
- planning requirements.

III. Documentation and review of site selection

The site selection procedures should be fully documented at the classification stage by such means as compass-point photographs of the surrounding area and a detailed map. Sites should be reviewed at regular intervals with repeated documentation to ensure that selection criteria remain valid over time.

Tuesday 20 April 2004

IV. Criteria for determining numbers of sampling points for fixed measurement of concentrations of arsenic, cadmium, nickel and benzo(a)pyrene in ambient air

Minimum number of sampling points for fixed measurement to assess compliance with target values for the protection of human health in zones and agglomerations where fixed measurement is the sole source of information.

(a) Diffuse sources

Population of agglomeration or zone (thousands)	If maximum concentrations exceed the upper assessment threshold ⁽¹⁾		If maximum concentrations are between the upper and lower assessment thresholds	
	As, Cd, Ni	B(a)P	As, Cd, Ni	B(a)P
0 – 749	1	1	1	1
750 – 1 999	2	2	1	1
2 000 – 3 749	2	3	1	1
3 750 – 4 749	3	4	2	2
4 750 – 5 999	4	5	2	2
≥ 6 000	5	5	2	2

⁽¹⁾ To include *at least* one *urban-background* station *and for benzo(a)pyrene also* one traffic-oriented station provided this does not increase the number of sampling points.

(b) Point sources

For the assessment of pollution in the vicinity of point sources, the number of sampling points for fixed measurement should be determined taking into account emission densities, the likely distribution patterns of ambient air pollution and potential exposure of the population.

The sampling points should be sited such that the application of best available techniques as defined by Article 2(11) of Directive 96/61/EC can be monitored.

ANNEX IV

DATA QUALITY OBJECTIVES AND REQUIREMENTS
FOR AIR QUALITY MODELS

I. Data quality objectives

The following data quality objectives are provided as a guide to quality-assurance.

	Benzo(a)pyrene	Arsenic, cadmium and nickel	Polycyclic aromatic hydrocarbons other than benzo(a)pyrene, total gaseous mercury	Total deposition
Uncertainty				
Fixed and Indicative measurements	50 %	40 %	50 %	70 %
Modelling	60 %	60 %	60 %	60 %
– Minimum data capture	90 %	90 %	90 %	90 %
– Minimum time coverage:				
Fixed Measurements	33 %	50 %	—	
Indicative measurements ⁽¹⁾	14 %	14 %	14 %	33 %

⁽¹⁾ *Indicative measurement being measurements which are performed at reduced regularity but fulfil the other data quality objectives.*

Tuesday 20 April 2004

The uncertainty (expressed at a 95 % confidence level) of the methods used for the assessment of ambient air concentrations will be evaluated in accordance with the principles of the CEN Guide to the Expression of Uncertainty in Measurement (ENV 13005-1999), the methodology of ISO 5725:1994, and the guidance provided in the **CEN Report Air Quality – Approach to uncertainty estimation for ambient air reference measurement methods (CR 14377:2002E)**. **The percentages for uncertainty are given for individual measurements, which are averaged over typical sampling times, for a 95 % confidence interval.** The uncertainty of the measurements should be interpreted as being applicable in the region of the appropriate **target value. Fixed and indicative measurements must be evenly distributed over the year in order to avoid skewing of results.**

The requirements for minimum data capture and time coverage do not include losses of data due to regular calibration or normal maintenance of the instrumentation. Twenty-four-hour sampling is required for the measurement of benzo(a)pyrene and other polycyclic aromatic hydrocarbons. **With care, individual samples taken over a period of up to one month can be combined and analysed as a composite sample, provided the method ensures that the samples are stable for that period. The three congeners benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene can be difficult to resolve analytically. In such cases they can be reported as sum.** Twenty-four hour sampling is also advisable for the measurement of arsenic, cadmium and nickel concentrations. Sampling must be spread evenly over the weekdays and the year. For the measurement of deposition rates monthly, **or weekly**, samples throughout the year are recommended. **Member States may use wet only instead of bulk sampling if they can demonstrate that the difference between them is within 10 %. Deposition rates should generally be given as $\mu\text{g}/\text{m}^2$ per day.**

Member States may apply a minimum time coverage lower than indicated in the table, but not lower than 14 % for fixed measurements and 6 % for indicative measurements provided that they can demonstrate that the 95 % expanded uncertainty for the annual mean, calculated from the data quality objectives in the table according to ISO 11222:2002 – ‘Determination of the uncertainty of the time average of air quality measurements’ will be met.

II. Requirements for air quality models

Where an air quality model is used for assessment, references to descriptions of the model and information on the uncertainty shall be compiled. The uncertainty for modelling is defined as the maximum deviation of the measured and calculated concentration levels, over a full year, without taking into account the timing of the **events**.

III. Requirements for objective estimation techniques

Where objective estimation techniques are used the uncertainty shall not exceed 100 %.

IV. Standardisation

For substances to be analysed in the PM10 fraction the sampling volume refers to ambient conditions.

Tuesday 20 April 2004

ANNEX V

REFERENCE METHODS FOR ASSESSMENT
OF CONCENTRATIONS IN AMBIENT AIR AND
DEPOSITION RATES

I. Reference method for the sampling and analysis of arsenic, cadmium and nickel in ambient air

The reference method for the measurement of arsenic, cadmium and nickel concentrations in ambient air is currently being standardised by CEN and shall be based on manual PM₁₀ sampling equivalent to EN 12341, followed by digestion of the samples and analysis by Atomic Adsorption Spectrometry or ICP Mass Spectrometry. In the absence of a CEN standard method, Member States are allowed to use national standard methods or ISO standard methods.

A Member State may also use any other methods which it can demonstrate gives results equivalent to the above method.

II. Reference method for the sampling and analysis of polycyclic aromatic hydrocarbons in ambient air

The reference method for the measurement of benzo(a)pyrene concentrations in ambient air is currently being standardised by CEN and shall be based on manual PM₁₀ sampling equivalent to EN 12341. In the absence of a CEN standard method, for benzo(a)pyrene or the other polycyclic aromatic hydrocarbons referred to in Article 4(8), the Member States are allowed to use national standard methods or ISO methods such as ISO standard 12884.

A Member State may also use any other methods which it can demonstrate gives results equivalent to the above method.

III. Reference method for the sampling and analysis of mercury in ambient air

The reference method for the measurement of total gaseous mercury concentrations in ambient air shall be an automated method based on Atomic Absorption Spectrometry or Atomic Fluorescence **Spectrometry**. In the absence of a CEN standardised method, the Member States are allowed to use national standard methods or ISO standard methods.

A Member State may also use any other methods which it can demonstrate gives results equivalent to the above method.

IV. Reference method for the sampling and analysis of the deposition of arsenic, cadmium, **nickel**, mercury and polycyclic aromatic hydrocarbons

The reference method for the sampling of deposited arsenic, cadmium, **nickel**, mercury and polycyclic aromatic hydrocarbons shall be based on the exposition of cylindrical deposit gauges with standardised dimensions. In the absence of a CEN standardised method, the Member States are allowed to use national standard methods.

V. Reference air quality modelling techniques

Reference air quality modelling techniques cannot be specified at present. Any amendments to adapt this point to scientific and technical progress must be adopted in accordance with the procedure laid down in Article 6.

Tuesday 20 April 2004

P5_TA(2004)0296

Cooperation on consumer protection ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on cooperation between national authorities responsible for the enforcement of consumer protection laws ('the regulation on consumer protection cooperation') (COM(2003) 443 – C5-0335/2003 – 2003/0162(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 443) ⁽¹⁾,
- having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0335/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0191/2004),

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 the OJ.

P5_TC1-COD(2003)0162

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Regulation (EC) No .../2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws ('the regulation on consumer protection cooperation')

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⁾,

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⁾,

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ OJ C ...

⁽⁴⁾ Position of the European Parliament of 20 April 2004.

Tuesday 20 April 2004

Whereas:

- (1) The Council resolution of 8 July 1996⁽¹⁾ acknowledged that a continuing effort is required to improve cooperation between administrations and invited the Member States and the Commission to examine as a matter of priority the possibility of reinforcing administrative cooperation in the enforcement of legislation.
- (2) Existing national enforcement arrangements for the laws that protect consumers' interests are not adapted to the challenges of enforcement in the internal market and effective and efficient enforcement cooperation in these cases is not currently possible. These difficulties give rise to barriers to cooperation between public authorities to detect, investigate and bring about the cessation of infringements of the laws that protect consumers' interests in cross-border cases. The resulting lack of effective enforcement in cross-border cases enables sellers and suppliers to evade enforcement attempts by relocating within the Community. This gives rise to a distortion of competition for law-abiding sellers and suppliers operating either domestically or cross-border. The difficulties of enforcement in cross-border cases also undermines the confidence of consumers in taking up cross-border offers and hence their confidence in the internal market.
- (3) It is therefore appropriate to facilitate cooperation between public authorities responsible for enforcement of consumer protection in dealing with intra-Community *infringements* and contribute to improving the smooth functioning of the internal market, the quality and consistency of enforcement of consumer protection laws and the monitoring of the protection of consumers' economic interests.
- (4) ***Enforcement cooperation arrangements exist in Community legislation, to protect consumers above and beyond their economic interest (not least where health is concerned). Best practice should be exchanged between the networks established by this Regulation and these other networks.***
- (5) Since the objectives of the proposed action cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and co-ordination by acting alone and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this *Regulation* does not go beyond what is necessary in order to achieve those objectives.
- (6) The scope of the provisions on mutual assistance in this *Regulation* should be limited to intra-Community infringements of Community ***legislation*** on consumer protection. The effectiveness with which infringements at national level are pursued should ensure that there is no discrimination between national and intra-Community *transactions*. This *Regulation* does not affect the responsibilities of the Commission with regard to infringements of Community law by the Member States. ***Nor does the Regulation confer on the Commission powers to stop intra-Community infringements defined in the Regulation.***
- (7) The protection of consumers from cross-border infringements requires the establishment of a network of public enforcement authorities throughout the Community and these authorities require a minimum of common investigation and enforcement powers to apply this *Regulation* effectively and to deter sellers or suppliers from committing intra-Community infringements.
- (8) The ability of competent authorities to cooperate freely on a reciprocal basis in exchanging information, detecting and investigating intra-Community infringements and in taking action to bring about their cessation or prohibition is essential to guaranteeing the smooth functioning of the internal market and the protection of consumers.

⁽¹⁾ OJ C 224, 1.08.1996, p. 3.

Tuesday 20 April 2004

- (9) Competent authorities should also make use of **other** powers **or measures available** to them at national level, **including** to initiate or refer matters for criminal prosecution to also bring about the cessation or prohibition of intra-Community infringements without delay as a result of a request for mutual assistance, where this is appropriate.
- (10) Information exchanged between competent authorities should be subject to the strictest guarantees of confidentiality and secrecy in order to ensure investigations are not compromised or the reputation of sellers or suppliers unfairly harmed. **Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽¹⁾ and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽²⁾ apply in the context of this Regulation.**
- (11) **The** enforcement challenges that exist go beyond the frontiers of the European Union and the interests of European consumers need to be protected from rogue traders based in third countries. Hence, there is a need for international agreements with third countries regarding mutual assistance in the enforcement of the laws that protect consumers' interests to be negotiated. These international agreements should be negotiated at Community level **in the areas covered by** this Regulation in order to ensure the optimum protection of European consumers and the smooth functioning of enforcement cooperation with third countries.
- (12) It is appropriate to co-ordinate at Community level the enforcement activities of the Member States in respect of intra-Community infringements in order to improve the application of this Regulation and contribute to raising the standard and consistency of enforcement.
- (13) It is appropriate to co-ordinate at Community level the administrative cooperation activities of the Member States, in respect of their intra-Community dimension, in order to contribute to *improving the application of consumer protection laws*, and this role has already been demonstrated in the establishment of the European extra-judicial network.
- (14) Where the co-ordination of the activities of the Member States under this Regulation entails Community financial support, the decision to grant such support shall be taken in accordance with the procedures set out **in Decision No 20/2004/EC** of the European Parliament and of the Council of **8 December 2003** establishing a **general** framework for **financing** Community actions in support of consumer policy **for the years 2004-2007 ⁽³⁾**, in particular Actions 5 and 10 set out in the Annex to that Decision and successor Decisions.
- (15) **Consumer organisations play an essential role in terms of consumer information and education and in the protection of consumer interests, including in the settlement of disputes, and should be encouraged to co-operate with competent authorities to enhance the application of this Regulation.**
- (16) 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 ⁽⁴⁾.
- (17) The effective monitoring of the application of this Regulation and the effectiveness of consumer protection requires regular reports from the Member States.
- (18) **This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Accordingly this Regulation should be interpreted and applied with respect to those rights and principles,**

⁽¹⁾ OJ L 281, 23.11.1995, p. 31. Directive amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

⁽³⁾ OJ L 5, 9.1.2004, p. 1. Decision as last amended by Decision No 786/2004/EC (OJ L 138, 30.4.2004, p. 7).

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

Tuesday 20 April 2004

HAVE ADOPTED THIS REGULATION:

CHAPTER I

OBJECTIVE, DEFINITIONS, SCOPE AND COMPETENT AUTHORITIES

Article 1

Objective

This Regulation lays down the conditions under which the competent authorities in the Member States **designated as** responsible for the enforcement of the laws that protect consumers' interests **are to** cooperate with each other and with the Commission in order to ensure compliance with those laws and the smooth functioning of the internal market and in order to enhance the protection of consumers' economic interests.

Article 2

Scope

1. The provisions on mutual assistance **set out in Chapters II and III** shall cover intra-Community infringements.
2. This Regulation shall be without prejudice to the **Community** rules on private international law, in particular rules related to court jurisdiction and applicable law.
3. This Regulation **shall be without prejudice to** the application in the Member States of measures relating to judicial cooperation in criminal and civil matters, in particular the operation of the European **Judicial Network**.
4. **The provisions of this Regulation shall be without prejudice to the fulfilment by the Member States of any additional obligations in relation to mutual assistance on the protection of the collective economic interests of consumers, including in criminal matters, ensuing from other legal acts, including bilateral or multilateral agreements.**
5. **This Regulation shall be without prejudice to the application of Directive 98/27/EC of the European Parliament and of the Council of 19 May 1998 on injunctions for the protection of consumers' interests⁽¹⁾.**
6. This Regulation shall be without prejudice to Community law relating to the internal market, in particular those provisions concerning the free movement of goods and services.
7. This Regulation shall be without prejudice to Community law relating to television broadcasting services.

Article 3

Definitions

For the purposes of this Regulation:

- a. 'laws that protect consumers' interests' means the Directives listed in Annex I as transposed into the internal legal order of the Member States **and the Regulations listed in Annex I**.
- b. 'intra-Community infringement' means any act **or omission** contrary to the laws that protect consumers' interests, **as defined in point (a)**, that harms, or is likely to harm, the collective interests of consumers residing in a Member State or Member States other than the Member State where the act originated **or took place; or where the responsible seller or supplier is established; or where evidence or assets pertaining to the act are to be found**.

⁽¹⁾ OJ L 166, 11.6.1998, p. 51. Directive as last amended by Directive 2002/65/EC (OJ L 271, 9.10.2002, p. 16).

Tuesday 20 April 2004

- c. 'competent authority' means any public authority established either at national, regional or local level with specific responsibilities to **enforce** the laws that protect consumers' interests.
- d. 'single liaison office' means the public authority in each Member State designated as responsible for co-ordinating the application of this *Regulation* within that Member State.
- e. 'competent official' means **an official of a competent authority designated as responsible for the application of this Regulation.**
- f. 'applicant authority' means the competent authority that makes a request for mutual assistance.
- g. 'requested authority' means the competent authority that receives a request for mutual assistance.
- h. 'seller or supplier' means any natural or legal person who, in respect of the laws that protect consumers' interests, is acting for purposes relating to his trade, business, **craft** or profession.
- i. '**market** surveillance activities' means the actions of a competent authority designed to detect whether intra-Community infringements have taken place within its **territory**.
- j. '**consumer** complaint' means a statement, **supported by reasonable evidence**, that a seller or supplier has committed, or is likely to commit, an infringement of the laws that protect consumers' **interests**.
- k. '**collective** interests of consumers' means **the interests of a number of consumers that have** been harmed **or are likely to be harmed** by an infringement.

Article 4

Competent authorities

1. Each Member State shall designate the competent authorities and single liaison office responsible for the application of this *Regulation*.
2. ***Each Member State may, if necessary in order to fulfil the obligations under this Regulation, designate other public authorities. They may also designate bodies having a legitimate interest in the cessation of intra-Community infringements in accordance with Article 8(3).***
3. ***Each competent authority*** shall, ***without prejudice to paragraph 4***, have the investigation and enforcement powers necessary for the application of this *Regulation* and shall exercise them in conformity with national law.
4. ***The competent authorities may exercise the powers referred to in paragraph 3 in conformity with national law either:***
 - (a) ***directly under their own authority or under the supervision of the judicial authorities; or***
 - (b) ***by application to courts competent to grant the necessary decision, including, where appropriate, by appeal in the event that the application to grant the necessary decision is not successful.***
5. ***Insofar as competent authorities exercise their powers by application to the courts in accordance with paragraph 4(b), those courts shall be competent to grant the necessary decisions.***
6. ***The powers referred to in paragraph 3 shall only be exercised where there is a reasonable suspicion of an intra-Community infringement and*** shall include, at least, the right:
 - (a) to have access to any **relevant** document, in any form, **related to the intra-Community infringement**;
 - (b) to **require** the supply of **relevant** information **related to the intra-Community infringement** by any person;
 - (c) to carry out **necessary** on-site inspections;

Tuesday 20 April 2004

- (d) to request in writing that the seller or supplier **concerned** cease the intra-Community infringement;
- (e) to obtain from **the seller or supplier** responsible for intra-Community infringements **an undertaking** to cease the intra-Community infringement; and, **where appropriate**, to publish the resulting **undertaking**;
- (f) to require the cessation or prohibition of any intra-Community **infringement and, where appropriate**, to publish resulting decisions;
- (g) to **require** the losing defendant **to make** payments into the public purse or to any beneficiary designated in or under national legislation, in the event of failure to comply with a **decision**.

7. **Member States shall ensure that competent authorities have** adequate resources necessary for the application of this Regulation. The **competent officials** shall observe professional standards and be subject to appropriate internal procedures or rules of conduct that ensure, in particular, the protection of **individuals with regard to the processing of** personal data, procedural fairness and the proper observance of the confidentiality and professional secrecy provisions established in *Article 13*.

8. Each competent authority shall make known to the general public the rights and responsibilities conferred upon it under this Regulation.

9. Each competent authority shall designate **the competent officials**.

Article 5

Lists

1. Each Member State shall communicate to the Commission and other Member States the identities of the competent authorities, **other public authorities and bodies having a legitimate interest in the cessation of intra-Community infringements** and single liaison office designated under *Article 4(1)*.

2. **The** Commission shall publish and update the list of single liaison offices and competent authorities in the Official Journal of the European Union.

CHAPTER II

MUTUAL ASSISTANCE

Article 6

Exchange of information on request

1. A requested authority shall, on request from an applicant authority, **in accordance with Article 4**, supply any **relevant** information required to establish whether an intra-Community infringement has occurred or **whether there is a reasonable suspicion it may occur**. The requested authority shall supply the information requested without delay.

2. The requested authority shall undertake, **if necessary with the assistance of other public authorities**, the appropriate investigations or any other necessary **or appropriate** measures **in accordance with Article 4**, in order to gather the required information.

3. On request from the applicant authority, **the requested authority may permit** a competent official of the applicant authority **to** accompany the officials of the requested authority in the course of their investigations.

4. The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in *Article 19(2)*.

Tuesday 20 April 2004

Article 7

Exchange of information *without request*

1. When a competent authority becomes aware of an intra-Community infringement, or ***reasonably suspects that such*** an infringement ***may occur***, it shall notify the competent authorities of ***other Member States*** and the Commission, supplying all necessary information, without delay.
2. When a competent authority takes further enforcement measures or receives requests for mutual assistance in relation to the intra-Community infringement, it shall notify the competent authorities of other Member States and the Commission.
3. The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 8

Requests for enforcement measures

1. A requested authority shall, on request from an applicant authority, take all necessary measures to bring about the cessation or prohibition of the intra-Community infringement without ***delay***.
 2. In order to fulfil its obligations under paragraph 1, the requested authority shall exercise the powers set out under Article 4(6) and any additional powers granted to the requested authority under national law. The requested authority shall determine, ***if necessary with the assistance of other public authorities***, the measures to be taken to bring about the cessation or prohibition of the intra-Community infringement in ***a proportionate***, efficient and effective way.
 3. ***The requested authority may also fulfil its obligations under paragraphs 1 and 2 by instructing a body designated in accordance with Article 4(2) as having a legitimate interest in the cessation of intra-Community infringements to take all necessary measures available to it under national law to bring about the cessation or prohibition of the intra-Community infringement on behalf of the requested authority. In the event of a failure by the body to bring about the cessation or prohibition of the intra-Community infringement without delay, the obligations of the requested authority under paragraphs 1 and 2 shall remain.***
 4. ***The requested authority may only take the measures set out in paragraph 3 if, after consultation with the applicant authority on the use of those measures, both applicant and requested authority are in agreement that:***
 - ***use of the measures in paragraph 3 is likely to bring about the cessation or prohibition of the intra-Community infringement in at least equally efficient and effective a way as action by the requested authority; and***
 - ***the instruction of the body designated under national law does not give rise to any disclosure to that body of information protected under Article 13.***
 5. ***In the event that the applicant authority is of the opinion that the conditions set out under paragraph 4 are not fulfilled, it shall inform the requested authority in writing, setting out the grounds for its opinion.***
- If the applicant authority and the requested authority are not in agreement, the requested authority may refer the matter to the Commission, which shall issue an opinion in accordance with the procedure referred to in Article 19(2).***
6. The requested authority ***may*** consult the applicant authority in the course of taking the enforcement measures ***referred to in paragraphs 1 and 2***. The requested authority shall notify the applicant authority, the competent authorities of other Member States and the Commission of ***the measures taken and the effect thereof on the intra-Community infringement, including whether it has ceased***, without delay.
 7. The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).

Tuesday 20 April 2004

Article 9

Co-ordination of **market** surveillance
and enforcement

1. Competent authorities shall co-ordinate their **market** surveillance and enforcement activities. They shall exchange all information necessary to achieve this.
2. When competent authorities become aware that an intra-Community infringement harms consumers in more than two Member States, the competent authorities concerned shall coordinate their enforcement actions and requests for mutual assistance *via the single liaison office*. In particular they shall seek to conduct simultaneous investigations and enforcement measures.
3. The competent authorities shall inform the Commission in advance of this co-ordination and may invite the **officials and other accompanying persons authorised by the** Commission to participate.
4. The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 10

Database

1. *The Commission shall maintain an electronic database in which it shall store and process the information it receives under Articles 7, 8 and 9. The database shall be made available for consultation only by the competent authorities. In relation to their responsibilities to notify information for storage in the database and the processing of personal data involved therein, the competent authorities shall be regarded as controllers in accordance with Article 2(d) of Directive 95/46/EC. In relation to its responsibilities under this Article and the processing of personal data involved therein, the Commission shall be regarded as a controller in accordance with Article 2(d) of Regulation (EC) No 45/2001.*
2. *Where a competent authority establishes that an intra-Community infringement it has notified under Article 7 has subsequently proved to be unfounded, it shall withdraw the notification and the Commission shall without delay remove the information from the database. Where a requested authority notifies the Commission under Article 9 that an intra-Community infringement has ceased, the stored data related to the intra-Community infringement shall be deleted after five years.*
3. *The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).*

CHAPTER III

GENERAL CONDITIONS GOVERNING MUTUAL ASSISTANCE

Article 11

General Responsibilities

1. Competent authorities shall fulfil their obligations under this Regulation as though acting on behalf of consumers in their own country and on their own account or at the request of another competent authority in their own country.
2. Member States shall take all necessary measures to ensure effective co-ordination of the application of this Regulation by the competent authorities, **other public authorities, bodies having a legitimate interest in the cessation of intra-Community infringements** designated by them **and the competent courts**, through the single liaison office.

Tuesday 20 April 2004

3. *Member States shall encourage co-operation between the competent authorities and any other bodies with a legitimate interest under national law in the cessation of intra-Community infringements to ensure that potential intra-Community infringements are notified to competent authorities without delay.*

Article 12

Request and information exchange procedures

1. The applicant authority shall ensure that all requests for mutual assistance contain sufficient information to enable a requested authority to fulfil the request, **including any necessary evidence obtainable only in the territory of the applicant authority.**

2. Requests shall be sent **by the applicant authority to the single liaison office of the requested authority, after having been forwarded by the single liaison office of the applicant authority. Requests shall be forwarded by the single liaison office of the requested authority to the appropriate competent authority without delay.**

3. Requests for assistance and **all** communication of **information shall** be made in writing, using a standard form and communicated electronically **via the database established in Article 10.**

4. The languages used for requests and **for** the communication of information shall be agreed by the competent **authorities in** question before requests have been made. **If no agreement can be reached, requests shall be communicated in the official language(s) of the Member State of the applicant authority and responses in the official language(s) of the Member State of the requested authority.**

5. Information communicated as a result of a request shall be communicated directly to the applicant authority **and to the single liaison offices of the applicant and requested authorities simultaneously.**

6. The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 13

Use of information exchanged and protection of personal data and professional and commercial secrecy

1. Information supplied may only be used for the purposes of ensuring compliance with the laws that protect consumers' interests.

2. Competent authorities may invoke as evidence any information, documents, findings, statements, certified true copies or intelligence communicated pursuant to this *Regulation* on the same basis as similar documents obtained in their own country.

3. Information communicated in any form **to persons working for competent authorities, courts, other public authorities and the Commission**, including **information** notified to the Commission and stored on the database referred to in **Article 10, the disclosure of which would undermine:**

- **the protection of the privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data;**
- **the commercial interests of a natural or legal person, including intellectual property;**

Tuesday 20 April 2004

- *court proceedings and legal advice; or*
- *the purpose of inspections or investigations,*

shall be confidential and be covered by the obligation of professional secrecy, unless **its disclosure is necessary to bring about the cessation or prohibition of an intra-Community infringement** and the authority communicating the information consents to its **disclosure**.

4. **Member States** shall for the purpose of applying this Regulation adopt the legislative measures necessary to **restrict the rights and obligations under Articles 10, 11 and 12 of Directive 95/46/EC as necessary** to safeguard the interests referred to in Article 13(1)(d) and (f) of that Directive. **The Commission may restrict the rights and obligations under Articles 4(1), 11, 12(1), 13 to 17 and 37(1) of Regulation (EC) No 45/2001 where such restriction constitutes a necessary measure to safeguard the interests referred to in Article 20(1)(a) and (e) of that Regulation.**

5. **The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).**

Article 14

Information exchange with third countries

1. When a competent authority receives information from an authority of a third country, it shall supply the information to the relevant competent authorities of other Member States, in so far as it is permitted **so to do** by bilateral assistance agreements with the third country **and in accordance with Community legislation regarding the protection of individuals with regard to the processing of personal data.**

2. Information communicated under this Regulation may also be supplied to an authority of a third country by a competent authority under an assistance agreement with the third country, provided the consent of the competent authority that originally supplied the information has been obtained **and in accordance with Community legislation regarding the protection of individuals with regard to the processing of personal data.**

Article 15

Conditions

1. Member States shall waive all claims for the reimbursement of expenses incurred in applying this Regulation. However, the Member State of the applicant authority shall remain liable to the Member State of the requested authority for any costs and any losses incurred as a result of measures held to be unfounded by a court as far as the substance of the intra-Community infringement is concerned.

2. A requested authority may refuse to comply with a request for **enforcement measures under Article 8, following consultation with the applicant authority, if:**

- a. **judicial** proceedings have already been initiated or final *judgment* has already been passed in respect of the same intra-Community infringements and against the same sellers or suppliers before the judicial authorities in the Member State of the requested **or applicant** authority;
- b. **in its opinion, following appropriate investigation by the requested authority, no intra-Community infringement has taken place; or**
- c. **in its opinion the applicant authority has not provided sufficient information in accordance with Article 12(1) except when the requested authority has already refused to comply with a request under paragraph 3(b) of this Article in relation to the same intra-Community infringement.**

Tuesday 20 April 2004

3. *A requested authority may refuse to comply with a request for information under Article 6 if:*
 - a. *in its opinion, following consultation with the applicant authority, the information requested is not required by the applicant authority to establish whether an intra-Community infringement has occurred or whether there is a reasonable suspicion it may occur, or if the applicant authority does not agree that the information is subject to the provisions on confidentiality and professional secrecy set out in Article 13(3); or*
 - b. *criminal investigations or judicial proceedings have already been initiated or final judgment has already been passed in respect of the same intra-Community infringements and against the same sellers or suppliers before the judicial authorities in the Member State of the requested or applicant authority.*
4. *A requested authority may decide not to comply with the obligations in Article 7 if criminal investigations or judicial proceedings have already been initiated or final judgment has already been passed in respect of the same intra-Community infringements and against the same sellers or suppliers before the judicial authorities in the Member State of the requested or applicant authority.*
5. The requested authority shall inform the applicant authority and the Commission of the grounds for refusing a request for assistance. *The applicant authority may refer the matter to the Commission which shall issue an opinion, in accordance with the procedure referred to in Article 19(2).*
6. The measures necessary for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 19(2).

CHAPTER IV

COMMUNITY ACTIVITIES

Article 16

Enforcement coordination

1. *To the extent necessary to achieve the objectives of this Regulation, Member States shall inform each other and the Commission of their activities of Community interest in areas such as:*
 - a. the training of their **consumer protection enforcement** officials, including language training and the organisation of training seminars;
 - b. the collection and classification of consumer complaints;
 - c. the development of sector-specific networks of competent **officials**;
 - d. **the** development of information and communication tools;
 - e. the development of standards, methodologies and guidelines for enforcement officials;
 - f. the exchange of their officials.

Member States may, in co-operation with the Commission, carry out common activities in the areas referred to in the first subparagraph. The Member States shall also, in co-operation with the Commission, develop a common framework for the classification of consumer complaints.

Tuesday 20 April 2004

2. **The** competent authorities **may** exchange competent officials in order to improve cooperation. The competent authorities shall take the necessary measures to enable exchanged competent officials to play an effective part in activities of the competent authority. To this end such competent officials shall be authorised to carry out the duties entrusted to them by the host competent authority in accordance with the laws of that Member State.

3. During the exchange the civil **and criminal** liability of the competent official shall be treated in the same way as that of the officials of the host competent authority. Exchanged competent officials shall observe professional standards and be subject to the appropriate internal rules of conduct of the host competent authority that ensure, in particular, the protection of **individuals with regard to the processing** of personal data, procedural fairness and the proper observance of the confidentiality and professional secrecy provisions established in Article 13.

4. The **Community** measures necessary for the implementation of this Article, **including the arrangements for implementing common activities**, shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 17

Administrative cooperation

1. **To the extent necessary to achieve the objectives of this Regulation**, Member States shall **inform each other and** the Commission **of** their activities **of Community interest in areas such as**:

- a. **consumer information and advice**;
- b. support **of** the activities of consumer representatives;
- c. support **of** the activities of bodies responsible for the extra-judicial settlement of consumer disputes;
- d. support **of** consumers' access to justice;
- e. **gathering of** statistics, **the results of** research or other information relating to consumer behaviour, attitudes and outcomes.

Member States may, in co-operation with the Commission, carry out common activities in the areas referred to in the first subparagraph. The Member States shall also, in co-operation with the Commission, develop a common framework for the activities referred to in point (e).

2. The **Community** measures necessary for the implementation of this Article, **including the arrangements for implementing common activities**, shall be adopted in accordance with the procedure referred to in Article 19(2).

Article 18

International agreements

The Community shall cooperate with third countries and with the competent international organisations **in the areas covered by this Regulation** in order to enhance the protection of consumers' economic interests. The arrangements for cooperation, including the establishment of mutual assistance arrangements, may be the subject of agreements between the Community and the third parties concerned.

Tuesday 20 April 2004

CHAPTER V
FINAL PROVISIONS

Article 19

Committee

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 referred to 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 20

Committee tasks

1. The Committee may examine all matters relating to the application of this Regulation raised by its chairman, either on his own initiative or at the request of the representative of a Member State.
2. In particular, it shall examine and evaluate how the arrangements for cooperation provided for in this *Regulation* are **working**.

Article 21

Reports

1. Member States shall communicate to the Commission the text of any provisions of national law that they adopt or of agreements, other than to deal with individual cases, that they conclude on matters covered by this Regulation.
2. Every two years from the date of entry into force of this Regulation, the Member States shall report to the Commission on the application of this Regulation. ***The Commission shall make these reports publicly available.***
3. National reports shall address:
 - a. any new information about the organisation, powers, resources or responsibilities of the competent authorities.
 - b. any information concerning trends, means or methods of committing intra-Community infringements, particularly those that *have* revealed shortcomings or lacunae in this *Regulation* or in the laws that protect consumers' interests.
 - c. any information on enforcement techniques that have proved their effectiveness.
 - d. **summary** statistics relating to the activities of competent authorities such as actions under this *Regulation*, complaints received, enforcement actions and *judgments*.

Tuesday 20 April 2004

- e. summaries of significant national interpretative *judgments* in the laws that protect consumers' interests.
- f. any other information relevant to the application of this *Regulation*.

4. The Commission shall submit to the European Parliament and the Council a report on the application of this Regulation on the basis of the reports of the Member States.

Article 22

Entry into force

This Regulation shall enter into force on the 20th day following that of its publication in the Official Journal of the European Union.

It shall apply from ... (*).

The provisions on mutual assistance set out in Chapters II and III shall apply from ... ().**

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

(*) **One year following the date of entry into force.**

(**) **Two years following the date of entry into force.**

ANNEX I

LIST OF DIRECTIVES AND REGULATIONS COVERED BY ARTICLE 3(a) (*)

1. Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising (OJ L 250, 19.9.1984, p. 17) and Directive 97/55/EC of the European Parliament and of the Council of 6 October 1997 amending Directive 84/450/EEC concerning misleading advertising so as to include comparative advertising (OJ L 290, 23.10.1997, p. 18).
2. Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises (OJ L 372, 31.12.1985, p. 31).
3. Council Directive 87/102/EEC of 22 December 1986 for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (OJ L 42, 12.2.1987, p. 48). *Directive* as last amended by Directive 98/7/EC of the European Parliament and of the Council (OJ L 101, 1.4.1998, p. 17) [and Directive XX/XX/EC of X].
4. Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities: Articles 10 to 21 (OJ L 298, 17.10.1989, p. 23. *Directive* amended by Directive 97/36/EC of the European Parliament and of the Council (OJ L 202, 30.7.1997, p. 60)).

(*) Directive Nos 1, 6, 7 and 9 contain specific **provisions**.

Tuesday 20 April 2004

5. Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours (OJ L 158, 23. 6.1990, p. 59).
 6. Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use: Articles 86 to 100 (OJ L 311, 28.11.2001, p. 67). *Directive as last amended by Directive 2004/27/EC (OJ L 136, 30.4.2004, p. 34).*
 7. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29). *Directive amended by Decision 2002/995/EC of the Commission (OJ L 353, 30.12.2002, p. 1).*
 8. Directive 94/47/EC of the European Parliament and of the Council of 26 October 1994 on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis (OJ L 280, 29.10.1994, p. 83).
 9. Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts (OJ L 144, 4.6.1997, p. 19). *Directive amended by Directive 2002/65/EC (OJ L 271, 9.10.2002, p. 16).*
 10. Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ L 171, 7.7.1999, p. 12).
 11. 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') (OJ L 178, 17.7.2000, p. 1)
 12. Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services *and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC* (OJ L 271, 9.10.2002, p. 16).
 13. European Parliament and Council Regulation (EC) No .../2004 of ... on sales promotions.
 14. European Parliament and Council Directive XXXX/XX/EC concerning unfair business-to-consumer commercial practices in the internal market (the unfair commercial practices directive).
 15. European Parliament and Council Regulation (EC) No .../2004 of ... on nutrition and health claims made on foods.
 16. **Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers (OJ L 80, 18.3.1998, p. 27).**
 17. **Regulation (EC) No 261/2004 of 11 February 2004 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 (OJ L 46, 17.2.2004, p. 1).**
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Tuesday 20 April 2004

TA(2004)0297

Consumer credit *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers (COM(2002)443 – C5-0420/2002 – 2002/0222(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 443) ⁽¹⁾,
- having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0420/2002),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0310/2003),
- having regard to the second report of the Committee on Legal Affairs and the Internal Market and the opinions of the Committee on Economic and Monetary Affairs and the Committee on the Environment, Public Health and Consumer Policy (A5-0224/2004),

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⁾ OJ C 331, 31.12.2002, p. 200.

P5_TC1-COD(2002)0222

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Directive 2004/.../EC of the European Parliament and of the Council on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular **Articles 153 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⁾,

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

⁽¹⁾ OJ C 331 E, 31.12.2002, p. 200.

⁽²⁾ OJ C 234, 30.9.2003, p. 1.

⁽³⁾ *Position of the European Parliament of 20 April 2004.*

Tuesday 20 April 2004

Whereas:

- (1) In 1995 the Commission presented a report⁽¹⁾ on the operation of Council Directive 87/102/EEC of 22 December 1986 on the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit⁽²⁾, following which it undertook a very broad consultation of the interested parties. In 1997 it presented a summary report of reactions to the 1995 report⁽³⁾. A second report was produced in 1996⁽⁴⁾ on the operation of Council Directive 90/88/EEC of 22 February 1990 amending Directive 87/102/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit⁽⁵⁾.
- (2) These reports and consultations reveal substantial differences between the laws of the various Member States in the field of credit for natural persons in general and consumer credit in particular. Analysis of the national texts transposing Directive 87/102/EEC shows that Member States **use other consumer mechanisms in addition to the Directive on account of differences in the legal, de facto and/or economic situation at national level. A common modernised Community basis for consumer credit requires that Member States be given the possibility to maintain or issue more far-reaching provisions to protect consumers.**
- (3) The de facto and de jure situation resulting **from national differences restricts** consumers' scope for **making direct use of the gradually increasing availability of cross-border credit. These restrictions currently have a barely perceptible effect on** the scale and nature of the demand for cross-border credit, which may have consequences in terms of the demand for goods and services. **Nevertheless, not least in view of the continuously developing market in consumer credit and the increasing mobility of Europe's citizens, forward-looking European legislation allowing the necessary freedom of manoeuvre should help to establish a modern body of law on consumer credit.**
- (4) **Given that credit unions in Ireland and the United Kingdom are restricted by a 'Common Bond', i.e. they are geographically restricted from operating outside their own local area, and given the fact that they play an invaluable role in providing credit to people that mainstream commercial lending institutions will not deal with and further, given that they are not-for-profit voluntary organisations they should not be subject to the strict regulations of this Directive.**
- (5) In recent years the types of credit offered to and used by consumers have evolved considerably. New credit instruments have appeared, and their use continues to develop. It is therefore necessary to adapt, amend and complete the existing provisions and to extend their scope **where necessary.**
- (6) It is also necessary to promote the creation of a more transparent and efficient credit market. It is important that this market should offer a degree of consumer protection such that the free movement of credit offers can take place under optimum conditions for both those who offer credit and those who require it, **with due regard to the Member States' existing provisions and requirements.** This necessitates a process of **targeted** harmonisation **to allow the Member States sufficient scope to ensure** all consumers in the Community **optimum** protection of their interests and an equivalent level of information. **In addition, full harmonisation may be appropriate in some areas in order to ensure comparability between credit offers and thus further develop the internal market in credit for consumers.**
- (7) **Article 16 establishes a Community-wide ground of defence for consumers based on objections in connection with linked credit agreements ('Einwendungsdurchgriff'). This does not, however, prevent the Member States from maintaining, in order to protect consumers, more far-reaching and stringent liability provisions, for example the principle applying in Great Britain of 'joint and several liability'. The Member States may also leave the conditions for the ground to be determined by a judicial decision.**

⁽¹⁾ COM(95) 117 final.

⁽²⁾ OJ L 42, 12.2.1987, p. 48. Directive as last amended by Directive 98/7/EC of the European Parliament and of the Council (OJ L 101, 1.4.1998, p. 17).

⁽³⁾ COM(97) 465 final.

⁽⁴⁾ COM(96) 79 final.

⁽⁵⁾ OJ L 61, 10.3.1990, p. 14.

Tuesday 20 April 2004

- (8) *In the case of linked agreements a relationship of interdependence exists between the purchase of a good or service and the credit agreement concluded for this purpose. This means that the exercise of the right of withdrawal in respect of one agreement presupposes that the other agreement is itself also subject to the right of withdrawal. The exercise of the right of withdrawal in the case of a linked agreement thus presupposes that the linked credit agreement is itself subject to the right of withdrawal.*
- (9) *In accordance with Article 14(2) of the Treaty, the internal market comprises an area without internal frontiers in which the free movement of goods and services and freedom of establishment are ensured. The development of a more transparent and efficient credit market within the area without internal frontiers is vital to promote the development of cross-border activities.*
- (10) Credit agreements *secured by real estate or comparable securities and agreements in connection with which statements by consumers were made with the participation of a civil law notary or a comparable officeholder* should be excluded from the scope of this *Directive*.
- (11) *Agreements providing for the provision on a continuing basis of services, as referred to in Article 2(c), where the consumer has the right to pay for them for the duration of their provision by means of instalments, would include, for the purposes of this Directive, payment for insurance via monthly instalments.*
- (12) In view of the risks to their financial interests, the situation of natural persons who stand as guarantors **for consumers** necessitates specific provisions ensuring a level of information and protection comparable to that provided for consumers.
- (13) Council Directive 84/450/EEC of 10 September 1984 concerning misleading advertising and comparative advertising ⁽¹⁾ is intended to provide protection with regard to the mention of a figure, cost or rate in advertising or advertising offers relating to a credit agreement. It requires such figure, cost or rate to be accompanied by calculation details making it possible to assess the figure in the context of all the consumer's obligations under a credit **agreement**.
- (14) **So** that consumers can make their decisions in full knowledge of the facts, they must receive adequate information, prior to the conclusion of the credit agreement, on the conditions and cost of the credit and on their obligations. To ensure **the fullest possible** transparency and comparability of offers, such information should in particular include the annual percentage rate of charge applicable to the credit, **which should be determined throughout the EU in the same way**.
- (15) **Consumers and guarantors likewise must act with prudence and respect their contractual obligations.**
- (16) The conditions laid down in a credit agreement may in some cases be to the consumer's disadvantage. Better consumer protection must be ensured by **specifying** certain conditions **as minimum standards**. The credit agreement must confirm and add to the information provided before the conclusion of the agreement, where appropriate with the help of an amortisation table and details of the charges for **defaulting**.
- (17) **In** order to approximate the procedures for exercising the right of withdrawal in similar areas, it is necessary to make provision for a right of withdrawal without penalty and with no obligation to provide justification, under conditions similar to those provided for by Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC ⁽²⁾.

⁽¹⁾ OJ L 250, 19.9.1984, p. 17. Directive amended by Directive 97/55/EC of the European Parliament and of the Council (OJ L 290, 23.10.1997, p. 18).

⁽²⁾ OJ L 271, 9.10.2002, p. 16.

Tuesday 20 April 2004

- (18) In order to promote the establishing and functioning of the internal market and ensure a high degree of protection for consumers throughout the Community, **the EU-wide comparability of the percentage rate of charge should now finally be introduced. Admittedly, a uniform mathematical formula for calculating the annual percentage rate of charge was provided when Directive 87/102/EEC was last amended by Directive 98/7/EC⁽¹⁾. However, the percentage rate of charge is not yet comparable throughout the EU, since in individual Member States different cost factors are taken into account in the calculation thereof. The Directive must therefore clearly define the term 'total cost of credit to the consumer'. These should cover only those costs generated by the creditor himself. The costs associated with an insurance should only be included in the total cost of the credit if the consumer is obliged to take out that insurance on concluding the credit agreement.**
- (19) **The** consumer should have the right to discharge his obligations before the due date. In the case of early repayment either in part or in full, the creditor must be entitled to claim **only a fair and objective indemnity.**
- (20) If the supplier of goods or services acquired under a credit agreement can be regarded as a credit intermediary, the consumer must be able to enforce **the same** rights against the creditor **as he would be able to enforce** against a supplier of goods or **services.**
- (21) **It** is necessary to establish common **minimum standards for** measures which apply in the event of non-performance of credit agreements. In particular, certain debt collection practices which are manifestly out of proportion must be considered **illegal.**
- (22) **In** order to ensure permanent protection of the interests of the consumer and guarantor, credit or surety agreements should not derogate, to the detriment of the consumer or guarantor, from the provisions implementing or corresponding to this *Directive*.
- (23) This *Directive* respects fundamental rights and the principles recognised by the Charter of Fundamental Rights of the European Union. In particular, it aims to ensure full compliance with the rules on protection of personal data, the right to property, non-discrimination, protection of family and professional life, and consumer protection pursuant to Articles 8, 17, 21, 33 and 38 of the Charter.
- (24) Since the objective of this *Directive*, namely to establish rules allowing **minimum standards to be set** concerning consumer credit, cannot be adequately achieved by the Member States, and can therefore be achieved more effectively at Community level, the Community can take action in accordance with the principle of subsidiarity referred to in Article 5 of the Treaty. In accordance with the principle of proportionality, as referred to in the said Article, this *Directive* does not go beyond what is necessary to achieve **that objective.**
- (25) **It** is therefore necessary to repeal and replace Directive 87/102/EEC,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

AIM, DEFINITIONS AND SCOPE

Article 1

Aim

This Directive is intended to enhance consumer protection, avoid over-indebtedness and provide optimum harmonisation of the laws, regulations and administrative procedures of the Member States concerning agreements covering credit granted to consumers and surety agreements entered into by consumers.

⁽¹⁾ Directive 98/7/EC of the European Parliament and of the Council of 16 February 1998 amending Directive 87/102/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (OJ L 101, 1.4.1998, p. 17).

Tuesday 20 April 2004

Article 2

Definitions

For the purpose of this *Directive*:

- (a) 'consumer' means a natural person who, in transactions covered by this *Directive*, is acting for purposes which can be regarded as outside his trade or profession;
- (b) 'creditor' means a natural or legal person who grants or promises to grant credit **professionally**;
- (c) 'credit agreement' means an agreement whereby a creditor grants or promises to grant to a consumer, **for remuneration**, credit in the form of a deferred payment, loan or other similar financial accommodation. **Agreements for the provision on a continuing basis of services or of a supply of goods of the same kind and in the same quantity, where the consumer pays for them for the duration of their provision by means of instalments, as well as** agreements for the provision on a continuing basis of services (private or public), where the consumer has the right to pay for them for the duration of their provision by means of instalments, are not deemed to be credit agreements for the purposes of this *Directive*;
- (d) 'credit intermediary' means a natural or legal person who, for a **fee**, **acts** as an intermediary by presenting or offering credit agreements, undertaking other preparatory work for such agreements, or concluding such agreements; the fee may take the form of cash or any other agreed form of financial consideration;
- (e) **'acting as a credit intermediary' means offering or presenting credit agreements, undertaking other preparatory work for such agreements, or concluding credit agreements;**
- (f) 'surety agreement' means **an agreement linked to a credit agreement under which** a guarantor **guarantees** the fulfilment of **a credit agreement covered by this Directive concluded with a consumer**;
- (g) 'guarantor' means a consumer concluding a surety agreement **in connection with a credit agreement concluded by a third party as a consumer**;
- (h) 'total cost of credit to the consumer' means all the costs, including borrowing **interest, commissions and charges** which the consumer has to pay **the creditor in connection with the management of the credit agreement in conformity with the terms thereof, and which are known to the creditor at the time the contract is concluded, with the exception of costs payable by the consumer on conclusion of the credit agreement to persons other than the creditor, in particular the notary, tax authorities, registrar of mortgages, and any costs in general imposed by the authority responsible for registration and sureties**;
- (i) 'annual percentage rate of charge' means **the annual interest rate which, on an annual basis, produces equality between the present values of the total present or future obligations (credit drawn down, amortisation payments and expenses) of the creditor and the consumer arising from the credit agreement and linked transactions**;
- (j) '**residual** value' means the purchase price of the financed goods applicable at the time when the purchase option or the property transfer option is exercised;
- (k) 'drawdown' means an amount of credit made available to the consumer in the form of a deferred payment, loan or other similar financial accommodation;
- (l) 'total amount of credit' means the ceiling or the sum of all drawdowns that are likely to be agreed;
- (m) **'in writing' means writing and any form of transmission** which enables the consumer **and the guarantor** to store information addressed personally to **them** in a way which makes it accessible for future reference for a period of time adequate for the purposes of the information and which allows the unchanged reproduction of the information **stored**;

Tuesday 20 April 2004

- (n) *'linked credit agreement' means an agreement concerning the supply of a good or the provision of a service linked to a credit agreement, where the credit in question serves to finance the other agreement and the two agreements thereby form a single commercial transaction. It should be assumed that a single commercial transaction is involved where the supplier or vendor of the goods or the service provider himself finances the credit for the consumer or, if it is financed by a third party, if the creditor uses the services of the above-mentioned persons in connection with the conclusion, or preparation, of the credit agreement.*

Article 3

Scope

1. This Directive applies to credit **agreements**.
2. This Directive shall not apply **to**:
 - (a) **credit agreements involving amounts up to EUR 500;**
 - (b) credit agreements the aim of which is to grant credit for the purchase or transformation of private immovable property that the consumer owns or is seeking to acquire **or credit agreements** which are secured either by a mortgage on immovable property or by **another, comparable** surety commonly used in a Member State for this purpose;
 - (c) hiring agreements, **except where they provide for the title to pass to the hirer eventually;**
 - (d) **leasing agreements which do not create any obligation to purchase the object of the agreement;**
 - (e) credit agreements under the terms of which the consumer is required to repay the credit **in a** period not exceeding three months, without the payment of interest or any other charges;
 - (f) credit agreements which meet **one of** the following conditions:
 - (i) they are **granted outside** the sphere of **any** commercial or professional activity (**private credit agreements**),
 - (ii) they are granted **by an employer to his employees as a secondary activity free of interest or** at annual percentage rates of charge lower than those prevailing on the market,
 - (iii) they are not offered to the public generally;
 - (g) credit agreements **over EUR 100 000 in net loan, in the case of credit agreements within the meaning of point (b) over a sum of EUR 1 million net loan;**
 - (h) **agreements under the terms of which the statements of the consumer were made with the participation of a civil law notary or a comparable office holder, which are the outcome of a settlement reached in court or before another statutory authority, or which relate to the deferred payment, free of charge, of an existing debt;**
 - (i) **credit agreements under which the consumer is required to repay the credit by a maximum number of four payments within a period not exceeding 12 months;**
 - (j) **start-up or personal development loans granted by public institutions or institutions officially authorised to do so;**
 - (k) **agreements on the basis of which a credit or financial institution grants credit in the form of advances on current accounts or debit accounts, where the total amount has to be repaid within three months or on demand; the provisions of Article 7 and Article 17 shall, however, apply to such credit agreements;**
 - (l) **credit agreements which provide for arrangements to be agreed by the creditor, or a person authorised to act on his behalf, and the borrower in respect of deferred payment, securitisation or repayment methods, where the borrower is already in default, if this would be likely to avert the possibility of legal proceedings and the consumer would not thereby be subject to less favourable terms overall;**
 - (m) **credit agreements whose conclusion is accompanied by the consumer depositing a security in the creditor's safe-keeping, where the surety deposited with the creditor is sufficient in itself to pay off the loan;**

Tuesday 20 April 2004

- (n) *cooperative associations that manage the savings of and provide sources of credit to members, where the ultimate responsibility lies with volunteers who provide credit on the basis of an annual percentage rate of charge that is subject to a ceiling laid down in national law, membership of which is restricted to persons residing or being employed in a particular and narrowly prescribed region or employees (and retired employees) in a particular sector or of a particular employer or such similar common association as may be permitted under national law.*

CHAPTER II

INFORMATION AND PRACTICES PRELIMINARY TO THE FORMATION OF THE AGREEMENT

Article 4

Standard information

1. *Information and obligations preliminary to the formation of the agreement comprise advertising and essential information concerning the offer of credit and the content of the credit agreement.*
2. *The standard information shall include, in the following order, and in a clear, concise and eye-catching form (infobox), the annual percentage rate of charge, the agreed duration of the credit, the number and amount of monthly payments and the total cost of credit.*
3. *Additional information, in particular in respect of taxes, repayment, any down payments required, and the size of instalments, may be provided separately.*

Where a lower borrowing rate is offered for a limited duration at the beginning of the credit agreement, the advertisement shall contain a prominently displayed annual percentage rate calculated on the actual borrowing rate after that limited duration.

4. *The obligation to provide standard information shall not apply:*
 - *if one of the standard items of information referred to in paragraph 2 cannot be determined in general terms or if these credit terms are not generally available for every borrower; however, the annual percentage rate of charge must be stated, if necessary by means of representative examples;*
 - *in the case of credit card agreements;*
 - *in the case of general advertising which does not contain any specific credit offer.*

Article 5

Advertising

*Without prejudice to Directive 84/450/EEC, any advertising or any offer displayed at business premises that includes information on credit agreements, in particular as regards the borrowing rate, total lending rate and annual percentage rate of charge, shall be provided in a clear and comprehensible manner, with due regard, in particular, to the principles of good faith in commercial transactions. The commercial purpose of this information must be made **clear**.*

Article 6

Responsible lending and borrowing

1. *The creditor, where applicable, the credit intermediary and the consumer shall adhere to the principle of responsible lending. Responsible lending includes the requirement for the creditor and the consumer to comply with their obligations as regarding the provision of information prior to the formation of the agreement and the requirement for the creditor to assess the consumer's creditworthiness on the basis of the information provided by the latter.*

Where revolving credit is involved, the creditor is required to update the information at his disposal about the consumer before any amendment to the terms of the credit agreement.

Tuesday 20 April 2004

2. The creditor **shall provide clear and comprehensible information in writing, before the conclusion of the agreement, concerning:**

- (a) the sureties and insurance required;
- (b) the duration of the credit agreement;
- (c) the amount, number and frequency of payments to be made, **where possible set out in a payment schedule;**
- (d) **additional costs** which the consumer has to pay on concluding a credit agreement, **provided the creditor knows how much they amount to**, such as taxes **incurred by the creditor**, administrative costs, and assessment costs with regard to the sureties required, **where applicable the costs of managing an account set up specifically for the purpose of the loan in question, in which both payments and credits are entered, and, where applicable, charges for the use or availability of a card or other means of payment which can be used at the same time either to make payments or draw down credit, and costs relating to payment transactions in general;**
- (e) the total **cost** of credit **to the consumer within the meaning of point (h) of Article 2;**
- (f) where applicable, the cash price of the financed goods or **services;**
- (g) where applicable, the borrowing rate, the conditions governing the application of this rate and any index, **where available**, or reference rate applicable to the initial borrowing rate, as well as the periods, conditions and procedures for varying the borrowing rate;
- (h) the annual percentage rate of **charge;**
- (i) the period during which the right of withdrawal may be exercised, **and procedures for the exercise of that right;**
- (j) **the method of repayment, the interests in the case of overdue payments applicable at the time of notification and the arrangements for their adjustment, and the charges for defaulting, indicating their purpose.**

In the cases referred to in Article 3 (3) of Directive 2002/65/EC, this information must include at least the items referred to in points c), e), and h) of this paragraph.

The duty under this paragraph to provide information may also be discharged by supplying a draft agreement including the appropriate details in accordance with Article 9.

3. The creditor or, where applicable, the credit intermediary shall seek to establish, among the credit agreements they usually offer or arrange, the most appropriate type and total amount of credit taking into account the financial situation of the consumer, the advantages and disadvantages associated with the product proposed, and the purpose of the credit.

4. **The burden of proof as regards the provision of information pursuant to paragraph 1 shall lie with the consumer.**

Article 7

Information requirements for overdrafts

1. **Where there is an agreement between the consumer and a credit or financial institution for the granting of credit in the form of an advance on a current account, the consumer shall be informed at the time or before the agreement is concluded of:**

- the credit limit, if any;
- the annual percentage rate of charge and the charges applicable from the time the agreement is concluded, and the conditions under which those charges may be amended;
- the conditions and procedure for terminating the agreement.

2. **Furthermore, during the period of the agreement, the consumer shall be informed of any change in the annual percentage rate of charge or in the relevant charges at the time it occurs. Such information may be given in a statement of account or in any other manner acceptable to Member States.**

Tuesday 20 April 2004

3. *In Member States where tacitly accepted overdrafts are permissible, the Member States concerned shall ensure that the consumer is informed of the annual rate of interest and the charges applicable, and of any amendment thereof, where the overdraft extends beyond a period of three months.*

CHAPTER III DATABASE ACCESS

Article 8

Databases

1. *In the case of cross-border credit, each Member State shall ensure access for creditors from other Member States to databases in that Member State under the same conditions as for firms and individuals in that Member State.*

2. *The consumer and, where appropriate, the guarantor shall be informed of the result of any consultation immediately and without charge.*

CHAPTER IV FORMATION OF CREDIT AND SURETY AGREEMENTS

Article 9

Information that must be included in credit and surety agreements

1. Credit agreements and surety agreements shall be drawn up **in writing**.

All the contracting parties, including the guarantor and the credit intermediary, shall receive a copy of the credit **agreement**.

Agreements shall **contain information regarding access to out-of-court complaint procedures and shall specify the formalities to be followed when a creditor or credit intermediary makes use of such procedures**.

2. *In addition to the data referred to in Article 6(2), the credit agreement shall include:*

- (a) the names and addresses of the contracting parties as well as the name and address of the credit intermediary **involved**;
- (b) *a statement of the costs, indicating their purpose and, where appropriate, amounts, which are not included in the calculation of the annual percentage rate of charge but are to be paid by the consumer to the creditor, namely the commitment fee, the charges relating to unauthorised drawdowns in excess of the total amount of credit, costs arising from early repayment and the flat-rate charges for defaulting*;
- (c) *the procedure to be followed to exercise the right of termination*;
- (d) *the procedure for early repayment and the costs arising therefrom, indicating at least their purpose*.

3. *The surety agreement shall state the maximum amount guaranteed.*

Article 10

Right of withdrawal

1. The consumer shall have a period of fourteen calendar days to withdraw his acceptance of the credit agreement without giving any reason.

This period shall begin on the day a copy of the credit agreement concluded is transmitted to the consumer.

Tuesday 20 April 2004

2. The consumer shall notify the creditor of his withdrawal before expiry of the period referred to in paragraph 1 and in accordance with national legislation regarding proof. The deadline shall be deemed to have been observed if this notification, which must be on paper or on another durable medium that is available and accessible to the creditor, is dispatched before the deadline expires.

3. **Following the exercise of the right of withdrawal the creditor shall notify the consumer, in writing or another durable medium, of the sums of money to be repaid including the interest due during the period for which the credit was drawn down. The interest due shall be calculated on the agreed annual percentage rate. No other indemnity may be claimed in connection with exercising the right of withdrawal. The consumer shall pay to the creditor those sums of money notified to him under this paragraph.** Any down-payment made by the consumer under the credit agreement shall be repaid to the consumer without delay.

4. **Where the credit agreement is concluded away from business premises within the meaning of Article 1 of Directive 85/577/EEC⁽¹⁾ for the purpose of supplying goods or services, the right of withdrawal in paragraph 1 above will also apply to those goods or services.**

5. Paragraphs 1, 2 and 3 shall not apply to credit agreements secured by a mortgage or similar surety, credit agreements for housing or credit agreements cancelled under:

- (a) Article 6 of Directive 2002/65/EC;
- (b) Article 6 (4) of Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts⁽²⁾;
- (c) Article 7 of Directive 94/47/EC of the European Parliament and of the Council of 26 October 1994 on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis⁽³⁾.

CHAPTER V

ANNUAL PERCENTAGE RATE OF CHARGE AND BORROWING RATE

Article 11

Annual percentage rate of charge

1. The annual percentage rate of charge **shall be calculated in a mathematically correct way using a formula in which the capital growth factor, taking into account all payment flows deriving from credit and linked transactions, is denoted by an exponent expressed in days divided by 365,25. The method is explained in Annex I.**

Examples of the method of calculation are given in Annex II, by way of illustration.

2. For the purpose of calculating the annual percentage rate of charge, the total cost of the credit to the consumer shall be determined, with the exception of charges payable by the consumer for non-compliance with any of his commitments laid down in the credit agreement and charges other than the purchase price which, for purchases of goods or services, he is obliged to pay whether the transaction is paid in cash or on credit.

The costs of maintaining **the** account recording both payment transactions and credit transactions, the costs of using a card or another means of payment for both payment transactions and drawdowns, and the costs relating to payment transactions in general shall be regarded as credit costs unless **they are optional and** they have been clearly and separately shown in the credit agreement or in any other agreement concluded with the consumer.

⁽¹⁾ Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises (OJ L 372, 31.12.1985, p. 31).

⁽²⁾ OJ L 144, 4.6.1997, p.19. Directive amended by Directive 2002/65/EC.

⁽³⁾ OJ L 280, 29.10.1994, p. 83.

Tuesday 20 April 2004

Costs relating to insurance premiums shall be included in the total cost of the credit if the insurance is **compulsory in order to obtain the credit**.

3. The calculation of the annual percentage rate of charge shall be based on the assumption that the credit contract will remain valid for the period agreed and the creditor and the consumer will fulfil their obligations under the terms and by the dates agreed.

4. In the case of credit agreements containing clauses allowing variations in the borrowing **rate**, the annual percentage **rate shall** be calculated on the **basis of the final rate that applies to the credit agreement after that limited duration. Where the final rate is not known the creditor shall calculate the annual percentage rate on the basis of the standard rate for that or a similar credit agreement**.

Where a lower borrowing rate is offered for a limited duration at the beginning of the credit agreement, the annual percentage rate shall be calculated on the basis of the final rate that applies to the credit agreement after that limited duration.

5. Where necessary, the following assumptions may be adopted in calculating the annual percentage rate of charge:

- (a) if a credit agreement gives the consumer freedom of drawdown, the total amount of credit shall be deemed to be drawn down immediately and in full;
- (b) if there is no fixed timetable for repayment, and one cannot be deduced from the terms of the agreement and the means for repaying the credit granted, the duration of the credit shall be deemed to be one year;
- (c) **for open-end credit agreements, a constant capital balance should be assumed;**
- (d) unless otherwise specified, where the agreement provides for more than one repayment date, the credit will be made available and the repayments made on the earliest date provided for in the agreement.

6. Where a credit agreement is drawn up in the form of a hire agreement with an option to purchase and the agreement provides for a number of dates on which the purchase option may be exercised, the annual percentage rate of charge shall be calculated for each of these dates.

Where the residual value cannot be determined, the goods hired shall be subject to linear amortisation that makes its value equal to zero at the end of the normal hire period laid down in the credit **agreement**.

Article 12

Borrowing rate

- 1. The borrowing rate may be fixed or variable.
- 2. Where one or a number of fixed borrowing rates have been established, they shall apply for the duration of the period specified in the credit agreement.
- 3. A variable borrowing rate **may vary either after** agreed periods provided for in the credit **agreement in** line with the agreed index or reference rate, **or in accordance with other arrangements agreed on by the parties**.
- 4. The consumer shall be informed **in writing** of any change to the borrowing **rate**.

CHAPTER VI

PERFORMANCE OF A CREDIT AGREEMENT

Article 13

Early repayment

- 1. The consumer shall be entitled to discharge fully or partially his obligations under a credit agreement **at any time before expiry of the period** fixed in the agreement.

Tuesday 20 April 2004

2. Any indemnity claimed by the creditor for early repayment shall be fair and objective and shall be calculated on the basis of actuarial principles.

No indemnity shall be claimed:

- (a) for credit agreements where the period used to fix the borrowing rate is less than one year;
- (b) if repayment has been made under an insurance contract intended to provide a conventional credit repayment guarantee;
- (c) for credit agreements which provide for payment of charges and interest without capital amortisation, with the exception of *credit agreements providing constitution of capital*.

Article 14

Assignment of rights

Where the creditor's rights under a credit agreement or surety agreement are assigned to a third party, the consumer and, where applicable, the guarantor, shall be entitled to plead against the assignee of the creditor's rights under that agreement any defence which was available to him against the original creditor, including set-off where the latter is permitted in the Member State concerned.

The consumer must be informed that the contract has been assigned to a third party.

Article 15

Ban on the use of bills of exchange and other securities

The creditor or assignee of the creditor's rights under a credit agreement or surety agreement shall not require or invite the consumer or guarantor to guarantee payment of their commitments under that agreement by means of a bill of exchange or promissory note.

Moreover, the consumer or guarantor shall not be required to sign a cheque guaranteeing repayment, in full or in part, of the amount due.

Article 16

Linked transactions

1. ***Where the consumer has withdrawn his acceptance of an agreement on the supply of goods or provision of another service by a firm, he shall no longer be bound by his acceptance of any consumer credit agreement linked to that agreement.***

2. ***Where the consumer has withdrawn his acceptance of a consumer credit agreement, he shall no longer be bound by his acceptance of any agreement on the supply of goods or provision of another service linked to that consumer credit agreement.***

3. ***The agreement shall contain information on the provisions of paragraphs 1 and 2 and on the procedure and special conditions for exercising the right of withdrawal.***

4. ***Where:***

- (a) ***in order to buy goods or obtain services the consumer enters into a credit agreement with a person other than the supplier;***
- (b) ***the creditor and the supplier of the goods or services have a pre-existing agreement under which credit is made available by that creditor to customers of that supplier for the acquisition of goods or services from that supplier;***

Tuesday 20 April 2004

- (c) *the consumer referred to in point (a) obtains his credit pursuant to that pre-existing agreement; and*
- (d) *the goods or services covered by the credit agreement are not supplied, or are supplied only in part, or are not in conformity with the contract for supply thereof,*

the consumer shall have the right to pursue remedies against the creditor.

Member States shall determine to what extent and under what conditions these remedies shall be exercisable.

Member States shall take steps to move towards a system which facilitates such remedies within a period of five years from the date of entry into force of this Directive.

5. This Article is without prejudice to any provisions in Member States' legal systems which provide for circumstances in which a creditor will be jointly and severally liable for any claim the consumer may have against the supplier where the purchase of goods or services from the supplier has been financed by a credit agreement.

CHAPTER VII

SPECIFIC CREDIT AGREEMENTS

Article 17

Credit agreement in the form of an advance
on a current account or a debit account

Where a credit agreement covers credit in the form of an advance on a current account or debit account, the consumer shall be regularly informed of his debit situation **in writing, with** the following information **being provided**:

- (a) the precise period to which the statement of account relates;
- (b) the amounts and dates of drawdowns;
- (c) where applicable, the outstanding balance due from the previous statement, and the date **thereof**;
- (d) **the** last agreed borrowing **rate**.

Furthermore, the consumer shall be notified in writing during the course of the agreement of all changes in the annual rate of interest and in payable costs at the moment they arise.

Article 18

Open-end credit agreement

- 1. Either party may terminate an open-end credit agreement by giving notice in writing in** accordance with the procedures laid down in the credit agreement and in accordance with national legislation regarding proof.
- 2. Credit may not be terminated inopportunistly or in a manner constituting abuse of a right. The consumer must be allowed sufficient time to obtain the amount of credit owed or a consolidation loan.**
- 3. Where an agreement is terminated by the consumer, the provisions laid down in Article 13 shall apply.**
- 4. Fixed-term agreements of long duration cannot be renewed without explicit prior approval of the borrower.**

Tuesday 20 April 2004

CHAPTER VIII

PERFORMANCE OF A SURETY AGREEMENT

Article 19

Performance of a surety **agreement**

The creditor may take action against the guarantor only if the consumer, having defaulted on repayment of the credit, has failed to comply with a default notice within three months.

The guarantor must be informed as soon as a default notice has been sent to the consumer.

CHAPTER IX

NON-PERFORMANCE OF A CREDIT AGREEMENT

Article 20

Default notice and enforceability

1. Member States shall ensure that:
 - (a) creditors, their representatives and any other assignee of the creditor's rights under a credit agreement or surety agreement may not take disproportionate measures to recover amounts due to them in the event of non-performance of such agreements;
 - (b) the total amount of charges claimed by the creditor in the event of default of payment shall be proportionate to the real costs that have arisen to the creditor as a direct consequence of the consumer's failure to fulfil his obligations;**
 - (c) the creditor may demand immediate payment in the event of default or invoke a clause providing an express resolute condition only through a prior default notice requesting the consumer or, where applicable, the guarantor to comply with his obligations under the agreement within a reasonable period of **time**;
 - (d) the creditor may not suspend the consumer's drawdown rights unless he justifies his decision and is required to inform the consumer without delay;
 - (e) in the event of non-performance of their obligations or in the event of early repayment, the consumer and the guarantor are entitled, on request and without delay, to receive a detailed statement of account, free of charge, allowing them to verify the charges and interest claimed.
2. A default notice as referred to in paragraph 1 (c) is not necessary:
 - (a) in the event **of fraud by the consumer**, evidence of which shall be provided by the creditor or the assignee of the creditor's rights;
 - (b) where the consumer alienates the property financed before the total amount of credit is repaid or uses the property in a manner inconsistent with the conditions of the credit agreement, and where the creditor or the assignee of the creditor's rights has a preferential claim, right of possession or reservation of title on the property financed, provided that the consumer has been informed of the existence of such preferential claim, right of possession or reservation of title prior to the conclusion of the contract.

Article 21

Overrunning of the total amount of **credit**

In the event of an unauthorised overrun of the total amount of credit granted, the creditor shall inform the **consumer that** he has overrun the credit amount or is in an unauthorised overdraft situation and shall inform him of the borrowing rate and/or the **penalties**, charges or **interest on arrears applicable**.

Tuesday 20 April 2004

CHAPTER X

STATUTS AND CONTROL OF CREDITORS AND CREDIT INTERMEDIARIES

Article 22

Regulation of creditors and credit intermediaries

Member States shall ensure that creditors and credit intermediaries are regulated or supervised by an independent body or authority, until a European system of rules for credit intermediaries is in place.

Article 23

Obligations of credit intermediaries

Member States shall ensure that a credit intermediary:

- (a) indicates in advertising and documentation intended for **clients in** particular whether he works exclusively with one or more **creditors**;
- (b) **does** not receive, directly or indirectly, any fee, in whatever form, from a consumer who has requested his services, unless all the following conditions are met:
 - (i) the amount of the fee is **agreed with the credit intermediary in writing**,
 - (ii) the credit intermediary does not receive a fee from the creditor,
 - (iii) the credit agreement for which he has acted is actually concluded.

CHAPTER XI

FINAL PROVISIONS

Article 24

Effectiveness of the Directive's provisions

1. **Member States shall ensure that credit agreements and surety agreements do not derogate, to the detriment of the consumer or guarantor, from the provisions of national law implementing or corresponding to this Directive.**
2. Member States shall further ensure that the provisions they adopt in implementation of this *Directive* cannot be circumvented as a result of the way in which agreements are formulated, in particular by **spreading the amount of the credit over several agreements**.
3. Consumers and guarantors may not waive the rights conferred on them by this *Directive*.
4. Member States **shall ensure that the** protection granted by this *Directive* **is not circumvented** by virtue of the choice of the law of a **third** country as the law applicable to the agreement, if the agreement has a close link with the territory of one or more Member States.
5. **This Directive shall not prevent Member States from maintaining or adopting more far-reaching provisions for the best possible consumer protection in accordance with their Treaty obligations.**
6. **Member States may not depart from the rules on the annual percentage rate of charge laid down in Article 11.**

Tuesday 20 April 2004

Article 25

Out-of-court redress

Member States shall encourage **complaints and redress bodies for the out-of-court settlement of consumer disputes to also** resolve cross-border **disputes**.

Article 26

Existing agreements

This Directive does not apply to credit agreements and surety agreements existing on the date the national implementing measures enter into **force**.

Article 27

Transposition

Member States shall adopt and publish, no later than ... (*), the laws, regulations and administrative provisions necessary to comply with this *Directive*. They shall immediately inform the Commission thereof.

They shall apply these provisions from ... (*).

When Member States adopt these provisions, these shall contain a reference to this *Directive* or shall be accompanied by such reference at the time of their official publication. Member States shall determine how such reference is to be made.

Article 28

Repeal

Directive 87/102/EEC is repealed with effect from ... (*).

Article 29

Entry into force

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

Article 30

Addressees

This *Directive* is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

(*) Two years after the entry into force of this *Directive*.

Tuesday 20 April 2004

ANNEX I

THE BASIC EQUATION
EXPRESSING THE EQUIVALENCE OF DRAWDOWNS ON THE ONE HAND
AND REPAYMENTS AND CHARGES ON THE OTHER

The basic equation, which establishes the annual percentage rate of charge (APR), equates, on an annual basis, the total present value of drawdowns on the one hand and the total present value of repayments and payments of charges on the other hand, i.e.:

$$\sum_{k=1}^m C_k (1+X)^{-t_k} = \sum_{l=1}^{m'} D_l (1+X)^{-s_l}$$

Where:

- X is the APR
- m is the number of the last drawdown
- k is the number of a drawdown, therefore $1 \leq k \leq m$,
- C_k is the amount of drawdown k,
- t_k is the interval, expressed in years and fractions of a year, between the date of the first drawdown and the date of each subsequent drawdown, therefore $t_1 = 0$,
- m' is the number of the last repayment or payment of charges,
- l is the number of a repayment or payment of charges,
- D_l is the amount of a repayment or payment of charges,
- s_l is the interval, expressed in years and fractions of a year, between the date of the first drawdown and the date of each repayment or payment of charges.

Remarks

- (a) The amounts paid by both parties at different times shall not necessarily be equal and shall not necessarily be paid at equal intervals.
- (b) The starting date shall be that of the first drawdown.
- (c) Intervals between dates used in the calculations shall be expressed in years or in fractions of a year. A year is presumed to have 365 days (or 366 days for leap years), 52 weeks or 12 equal months. An equal month is presumed to have 30.41666 days (i.e. $365/12$) regardless of whether or not it is a leap year.
- (d) The result of the calculation shall be expressed with an accuracy of at least one decimal place. If the figure at the following decimal place is greater than or equal to 5, the figure at that particular decimal place shall be increased by one.
- (e) The equation can be rewritten using a single sum and the concept of flows (A_k), which will be positive or negative, in other words either paid or received during periods 1 to k, expressed in years, i.e.:

$$S = \sum_{k=1}^n A_k (1+X)^{-t_k},$$

S being the present balance of flows. If the aim is to maintain the equivalence of flows, the value will be zero.

- (f) Member States shall provide that the methods of resolution applicable give a result equal to that of the examples presented in **Annex II**.

Tuesday 20 April 2004

ANNEX II

EXAMPLES OF CALCULATION OF THE ANNUAL PERCENTAGE RATE OF CHARGE

Preliminary remarks

Unless otherwise stated, all examples assume a single drawdown of credit equal to the total amount of the credit and placed at the consumer's disposal as soon as the credit agreement is concluded. In this connection, it should be noted that if the credit agreement gives the consumer freedom of drawdown, the total amount of credit is deemed to be drawn down immediately and in full.

Some Member States, in order to express the borrowing rate, have opted for an effective rate and the equivalent conversion method, thus avoiding a situation in which the calculation of periodical interest is carried out in countless ways using different *pro rata temporis* rules which have only a very vague relationship with the linear nature of time. Other Member States permit a nominal periodic rate using a proportional conversion method. This *Directive* seeks to separate any further regulation of borrowing rates from the regulation of effective rates, simply stating the rate used. The examples in this Annex refer to the method that has been used.

Example 1

Total amount of credit (capital) of EUR 6 000, repayable in four equal annual instalments of EUR 1 852.

The equation becomes:

$$6000 = 1852 \cdot \frac{1 - \frac{1}{(1+X)^4}}{X}$$

or:

$$6000 = 1852 \frac{1}{(1+X)^1} + 1852 \frac{1}{(1+X)^2} + \dots + 1852 \frac{1}{(1+X)^4}$$

giving $X = 9,00000\%$, i.e. an APR of 9,0 %.

Example 2

Total amount of credit (capital) EUR 6 000, repayable in 48 equal monthly instalments of EUR 149,31.

The equation becomes:

$$6000 = 149,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{48}}}{(1+X)^{1/12} - 1}$$

or:

$$6000 = 149,31 \frac{1}{(1+X)^{1/12}} + 149,31 \frac{1}{(1+X)^{2/12}} + \dots + 149,31 \frac{1}{(1+X)^{48/12}}$$

giving $X = 9,380593\%$, i.e. an APR of 9,4 %.

Tuesday 20 April 2004

Example 3

Total amount of credit (capital) of EUR 6 000, repayable in 48 equal monthly instalments of EUR 149,31. Administrative charges of EUR 60,00 are payable on conclusion of the contract.

The equation becomes:

$$6000 - 60 = 149,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{48}}}{(1+X)^{1/12} - 1}$$

or:

$$5940 = 149,31 \frac{1}{(1+X)^{1/12}} + 149,31 \frac{1}{(1+X)^{2/12}} + \dots + 149,31 \frac{1}{(1+X)^{48/12}}$$

giving $X = 9,954966\%$, i.e. an APR of 10 %.

Example 4

Total amount of credit (capital) of EUR 6 000, repayable in 48 equal monthly instalments of EUR 149,31. Administrative charges of EUR 60 are spread over the repayments. The monthly instalment is therefore (EUR 149,31 + (EUR 60/48)) = EUR 150,56.

The equation becomes:

$$6000 = 150,56 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{48}}}{(1+X)^{1/12} - 1}$$

or:

$$6000 = 150,56 \frac{1}{(1+X)^{1/12}} + 150,56 \frac{1}{(1+X)^{2/12}} + \dots + 150,56 \frac{1}{(1+X)^{48/12}}$$

giving $X = 9,856689\%$, i.e. an APR of 9,9 %.

Example 5

Total amount of credit (capital) of EUR 6 000, repayable in 48 equal monthly instalments of EUR 149,31. Administrative charges are EUR 60, and insurance EUR 3 per month. The costs associated with insurance premiums must be included in the total cost of the credit if the insurance is taken out when the credit agreement is concluded. The instalment is therefore EUR 152,31.

The equation becomes:

$$5940 = 152,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{48}}}{(1+X)^{1/12} - 1}$$

or:

$$5940 = 152,31 \frac{1}{(1+X)^{1/12}} + 152,31 \frac{1}{(1+X)^{2/12}} + \dots + 152,31 \frac{1}{(1+X)^{48/12}}$$

giving $X = 11,1070115\%$, i.e. an APR of 11,1 %.

Tuesday 20 April 2004

Example 6

Balloon-type credit agreement for a total amount of credit of EUR 6 000 (purchasing price of a car to be financed), repayable in 47 equal monthly instalments of EUR 115,02 plus a final payment of EUR 1 915,02 representing the residual value of 30 % of the capital (balloon agreement), plus insurance of EUR 3 per month. The costs associated with insurance premiums must be included in the total cost of the credit if the insurance is taken out when the credit agreement is concluded. The instalment is therefore EUR 118,02, and the final payment will amount to EUR 1 918,02.

The equation becomes:

$$6000 = 118,02 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{47}}}{(1+X)^{1/12} - 1} + 1918,02 \frac{1}{[(1+X)^{1/12}]^{48}}$$

or:

$$6000 = 118,02 \frac{1}{(1+X)^{1/12}} + 118,02 \frac{1}{(1+X)^{2/12}} + \dots\dots\dots 118,02 \frac{1}{(1+X)^{47/12}} + (1800 + 115,02 + 3) \cdot \frac{1}{(1+X)^{48/12}}$$

giving $X = 9,381567\%$, i.e. an APR of 9,4 %.

Example 7

Credit agreement for a total amount of credit (capital) of EUR 6 000, with administrative charges of EUR 60 payable on conclusion of the contract, and two payment periods of 22 and 26 months respectively. The second-period instalment corresponds to 60 % of the first-period instalment. The respective monthly instalments are EUR 186,36 and EUR 111,82.

The equation becomes:

$$5940 = 186,36 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{22}}}{(1+X)^{1/12} - 1} + \left\{ 111,82 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{26}}}{(1+X)^{1/12} - 1} \cdot \frac{1}{[(1+X)^{1/12}]^{22}} \right\}$$

or:

$$5940 = \left[186,36 \frac{1}{(1+X)^{1/12}} + 186,36 \frac{1}{(1+X)^{2/12}} + \dots\dots\dots + 186,36 \frac{1}{(1+X)^{22/12}} \right] + \left\{ \left[111,82 \frac{1}{(1+X)^{1/12}} + 111,82 \frac{1}{(1+X)^{2/12}} + \dots\dots\dots + 111,82 \frac{1}{(1+X)^{26/12}} \right] \cdot \frac{1}{[(1+X)^{1/12}]^{22}} \right\}$$

giving $X = 10,04089\%$, i.e. an APR of 10,0 %.

Tuesday 20 April 2004

Example 8

Credit agreement for a total amount of credit (capital) of EUR 6 000, with administrative charges of EUR 60 payable on conclusion of the contract, and two payment periods of 22 and 26 months respectively, the first-period instalment corresponding to 60 % of the second-period instalment. The respective monthly instalments are EUR 112,15 and EUR 186,91.

The equation becomes:

$$5940 = 112,15 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{22}}}{(1+X)^{1/12} - 1} + \left\{ \left[186,91 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{26}}}{(1+X)^{1/12} - 1} \right] \cdot \frac{1}{[(1+X)^{1/12}]^{22}} \right\}$$

or:

$$5940 = \left[112,15 \frac{1}{(1+X)^{1/12}} + 112,15 \frac{1}{(1+X)^{2/12}} + \dots + 112,15 \frac{1}{(1+X)^{22/12}} \right] + \left\{ \left[186,91 \frac{1}{(1+X)^{1/12}} + 186,91 \frac{1}{(1+X)^{2/12}} + \dots + 186,91 \frac{1}{(1+X)^{26/12}} \right] \cdot \frac{1}{[(1+X)^{1/12}]^{22}} \right\}$$

giving $X = 9,888383\%$, i.e. an APR of 9,9 %.

Example 9

Credit agreement for a total amount of credit (price of goods) of EUR 500, repayable in three equal monthly instalments calculated by applying the borrowing rate T of 18 % (nominal rate), plus administrative charges of EUR 30 spread over the payments. The monthly instalment is therefore EUR 171,69 + EUR 10,00 charges = EUR 181,69.

The equation becomes:

$$500 = 181,69 \frac{1 - \frac{1}{[(1+X)^{1/12}]^3}}{(1+X)^{1/12} - 1}$$

or:

$$500 = 181,69 \frac{1}{(1+X)^{1/12}} + 181,69 \frac{1}{(1+X)^{2/12}} + 181,69 \frac{1}{(1+X)^{3/12}}$$

giving $X = 68,474596\%$, i.e. an APR of 68,5 %.

This example typifies practices still used by certain specialist 'vendor-credit' establishments.

Tuesday 20 April 2004

Example 10

Credit agreement for a total amount of credit (capital) of EUR 1 000, repayable in two instalments of either EUR 700 after one year and EUR 500 after two years, or EUR 500 after one year and EUR 700 after two years

The equation becomes:

$$1000 = 700 \frac{1}{[(1+X)^{1/12}]^{12}} + 500 \frac{1}{[(1+X)^{1/12}]^{24}}$$

giving $X = 13,898663\%$, i.e. an APR of $13,9\%$.

or:

$$1000 = 500 \frac{1}{[(1+X)^{1/12}]^{12}} + 700 \frac{1}{[(1+X)^{1/12}]^{24}}$$

giving $X = 12,321446\%$, i.e. an APR of $12,3\%$.

This example shows that the annual percentage rate of charge depends on the payment periods and that stating the total cost of the credit in the prior information or in the credit agreement is of no benefit to the consumer. Despite the total cost of credit being EUR 200 in both cases, there are two different APRs (depending on the speed of repayment).

Example 11

Credit agreement for a total amount of credit of EUR 6 000, with a borrowing rate of 9% , repayment in four equal annual instalments of EUR 1 852,01, and administrative charges of EUR 60 payable on conclusion of the agreement.

The equation becomes:

$$5940 = 1852,01 \frac{1 - \frac{1}{(1+X)^4}}{X}$$

or:

$$5940 = 1852,01 \frac{1}{(1+X)} + 1852,01 \frac{1}{(1+X)^2} + \dots + 1852,01 \frac{1}{(1+X)^4}$$

giving $X = 9,459052\%$, i.e. an APR of $9,5\%$.

In the event of early repayment, the equations become:

After one year:

$$5940 = 6540 \frac{1}{(1+X)}$$

where 6 540 is the sum due, including interest, before payment of the first scheduled payment according to the amortisation table,

giving $X = 10,101010\%$, i.e. an APR of $10,1\%$.

Tuesday 20 April 2004

After two years:

$$5940 = 1852,01 \frac{1}{(1+X)} + 5109,91 \frac{1}{(1+X)^2}$$

where 5 109,91 is the sum due, including interest, before payment of the second scheduled payment according to the amortisation table,

giving $X = 9,640069\%$, i.e. an APR of 9,6 %.

After three years:

$$5940 = 1852,01 \frac{1}{(1+X)} + 1852,01 \frac{1}{(1+X)^2} + 3551,11 \frac{1}{(1+X)^3}$$

where 3 551,11 is the sum due, including interest, before payment of the third scheduled payment according to the amortisation table,

giving $X = 9,505315\%$, i.e. an APR of 9,5 %

This shows how the provisional APR decreases in the course of time, especially where charges are payable on conclusion of the **agreement**.

Example 12

Credit agreement for a total amount of credit of EUR 6 000, with a borrowing rate T of 9 % (nominal rate), repayment in 48 monthly instalments of EUR 149,31 (calculated proportionally), and administrative charges of EUR 60 payable on conclusion of the agreement.

The equation becomes:

$$5940 = 149,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{48}}}{(1+X)^{1/12} - 1}$$

or:

$$5940 = 149,31 \frac{1}{(1+X)^{1/12}} + 149,31 \frac{1}{(1+X)^{2/12}} + \dots + 149,31 \frac{1}{(1+X)^{48/12}}$$

giving $X = 9,9954957\%$, i.e. an APR of 10 %.

However, in the case of early repayment, this becomes:

After one year:

$$5940 = 149,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{11}}}{(1+X)^{1/12} - 1} + 4844,64 \frac{1}{[(1+X)^{1/12}]^{12}}$$

where 4 844,64 is the sum due, including interest, before payment of the 12th scheduled payment according to the amortisation table,

giving $X = 10,655907\%$, i.e. an APR of 10,7 %.

Tuesday 20 April 2004

After two years:

$$5940 = 149,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{23}}}{(1+X)^{1/12} - 1} + 3417,58 \frac{1}{[(1+X)^{1/12}]^{24}}$$

where 3 417,58 is the sum due, including interest, before payment of the 24th monthly instalment according to the amortisation table,

giving $X = 10,136089\%$, i.e. an APR of 10,1 %.

After three years:

$$5940 = 149,31 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{35}}}{(1+X)^{1/12} - 1} + 1856,66 \frac{1}{[(1+X)^{1/12}]^{36}}$$

where 1 856,66 is the sum due, including interest, before payment of the 36th monthly instalment according to the amortisation table,

giving $X = 9,991921\%$, i.e. an APR of 10 %.

Example 13

Total amount of credit (capital) of EUR 6 000, repayable in four equal annual instalments of EUR 1 852. Let us now assume that the borrowing rate (nominal rate) is variable and increases from 9,00 % to 10,00 % after the second annual instalment. This results in a new annual instalment of EUR 1 877,17. Remember that, in calculating the APR, it is normally assumed that the borrowing rate and other costs remain fixed at the initial level and apply until the end of the credit agreement. In that case (example 1), the APR will be 9 %.

In the event of any change to the rate, the new APR must be communicated and calculated on the assumption that the credit agreement will remain in force for the rest of the agreed duration, and that the creditor and consumer will fulfil their obligations under the terms and by the dates agreed.

The equation becomes:

$$5940 = 1852,01 \frac{1 - \frac{1}{(1+X)^2}}{X} + \left[1877,17 \frac{1 - \frac{1}{(1+X)^2}}{X} \cdot \frac{1}{X^2} \right]$$

or:

$$5940 = 1852,01 \frac{1}{(1+X)} + 1852,01 \frac{1}{(1+X)^2} + \left\{ \left[1877,17 \frac{1}{(1+X)^3} + 1877,17 \frac{1}{(1+X)^4} \right] + \frac{1}{X^2} \right\}$$

giving $X = 9,741569\%$, i.e. an APR of 9,7 %.

Tuesday 20 April 2004

Example 14

Total amount of credit (capital) of EUR 6 000, repayable in 48 equal monthly instalments of EUR 149,31, with administrative charges of EUR 60 payable on conclusion of the agreement, plus insurance of EUR 3 per month. The costs associated with insurance premiums must be included in the total cost of the credit if the insurance is taken out when the credit agreement is concluded. The instalment is therefore EUR 152,31 and the calculation, as in example 5, gives $X = 11,107112$, i.e. an APR of 11,1 %.

Let us now assume that the borrowing rate (nominal) is variable and increases to 10 % after the 17th payment. This change requires a new APR to be communicated and calculated on the assumption that the credit agreement will remain in force for the rest of the agreed duration, and that the creditor and consumer will fulfil their obligations under the terms and on the dates agreed.

The equation becomes:

$$5940 = 151,91 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{17}}}{(1+X)^{1/12} - 1} + \left[154,22 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{31}}}{(1+X)^{1/12} - 1} \cdot \frac{1}{[(1+X)^{1/12}]^{17}} \right]$$

or:

$$5940 = \left[151,91 \frac{1}{(1+X)^{1/12}} + 151,91 \frac{1}{(1+X)^{2/12}} + \dots + 151,91 \frac{1}{(1+X)^{17/12}} \right] + \left\{ \left[154,22 \frac{1}{(1+X)^{1/12}} + 154,22 \frac{1}{(1+X)^{2/12}} + \dots + 154,22 \frac{1}{(1+X)^{31/12}} \right] \cdot \frac{1}{[(1+X)^{1/12}]^{17}} \right\}$$

giving $X = 11,542740$ %, i.e. an APR of 11,5 %.

Example 15

Credit agreement of the 'leasing' type for a car with a value of EUR 15 000. The agreement stipulates 48 monthly instalments of EUR 350. The first monthly instalment is payable as soon as the car is placed at the consumer's disposal. At the end of the 48 months the purchase option may be taken up by paying the residual value of EUR 1 250.

The equation becomes:

$$14650 = 350 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{47}}}{(1+X)^{1/12} - 1} + 1250 \frac{1}{[(1+X)^{1/12}]^{48}}$$

or:

$$14650 = 350 \frac{1}{(1+X)^{1/12}} + 350 \frac{1}{(1+X)^{2/12}} + \dots + 350 \frac{1}{(1+X)^{47/12}} + 1250 \frac{1}{(1+X)^{48/12}}$$

giving $X = 9,541856$ %, i.e. an APR of 9,5 %.

Tuesday 20 April 2004

Example 16

Credit agreement of the 'financing', 'vendor credit' or 'hire purchase' type for goods with a value of EUR 2 500. The credit agreement provides for a down-payment of EUR 500 plus 24 monthly instalments of EUR 100, the first of which must be paid within 20 days of the goods being placed at the consumer's disposal.

In such cases the down-payment is never part of the financing operation.

The equation becomes:

$$(2500 - 500) \cdot \frac{1}{\left[(1+X)^{1/365}\right]^{\left[\frac{365}{12}-20\right]}} = 100 \frac{1 - \frac{1}{\left[(1+X)^{1/12}\right]^{24}}}{(1+X)^{1/12} - 1}$$

or:

$$2000 \cdot \frac{1}{(1+X)^{\frac{10,4316}{365}}} = 100 \frac{1}{(1+X)^{1/12}} + 100 \frac{1}{(1+X)^{2/12}} + \dots + 100 \frac{1}{(1+X)^{24/12}}$$

giving $X = 20,395287$, or an APR of 20,4 %.

Example 17

Credit agreement for a credit line of EUR 2 500 for a period of six months. The credit agreement provides for payment of the total cost of the credit every month and repayment of the total amount of the credit at the end of the agreement. The annual borrowing rate (effective rate) is 8 %, and the charges amount to 0,25 % per month. The assumption that the amount of credit is drawn down immediately and in full applies here.

The monthly borrowing interest payment is calculated on the basis of an equivalent monthly rate, using the equation:

$$a = 2500 \cdot \left\{ \left[(1,08)^{1/12} - 1 \right] + 0,25 \right\}$$

or:

$$a = 2500 \cdot (0,006434 + 0,0025) = 22,34$$

This becomes:

$$2500 = 22,34 \frac{1 - \frac{1}{\left[(1+X)^{1/12}\right]^6}}{(1+X)^{1/12} - 1} + 2500 \frac{1}{(1+X)^{6/12}}$$

or:

$$2500 = 22,34 \frac{1}{(1+X)^{1/12}} + 22,34 \frac{1}{(1+X)^{2/12}} + \dots + 22,34 \frac{1}{(1+X)^{6/12}} + 2500 \frac{1}{(1+X)^{6/12}}$$

giving $X = 11,263633$ i.e. an APR of 11,3 %.

Tuesday 20 April 2004

Example 18

Credit agreement for an open-end credit line of EUR 2 500. The agreement provides for a minimum half-yearly payment of 25 % of the outstanding balance (capital and interest), with a minimum of EUR 25. The annual borrowing rate (effective rate) is 12 %, and the administrative charge payable on conclusion of the agreement is EUR 50.

(The equivalent monthly rate is obtained by the equation:

$$i = (1 + 0,12)^{6/12} - 1 = 0,00583$$

or 5,83 %).

The 19 half-yearly repayments (D_i) can be obtained from an amortisation table, giving $D_1 = 661,44$; $D_2 = 525$; $D_3 = 416,71$; $D_4 = 330,75$; $D_5 = 262,52$; $D_6 = 208,37$; $D_7 = 165,39$; $D_8 = 208,37$; $D_9 = 104,20$; $D_{10} = 82,70$; $D_{11} = 65,64$; $D_{12} = 52,1$; $D_{13} = 41,36$; $D_{14} = 32,82$; $D_{15} = 25$; $D_{16} = 25$; $D_{17} = 25$; $D_{18} = 25$; $D_{19} = 15,28$.

The equation becomes:

$$2500 - 50 = 661,44 \frac{1}{(1+X)^{6/12}} + 525 \frac{1}{(1+X)^{12/12}} + \dots + 25 \frac{1}{(1+X)^{108/12}} + 15,28 \frac{1}{(1+X)^{114/12}}$$

giving $X = 13,151744\%$, i.e. an APR of 13,2 %.

Example 19

Credit agreement for an open-end credit line involving the use of a card for drawdowns. Total amount of the credit: EUR 700. The agreement provides for a minimum monthly payment of 5 % of the outstanding balance (capital and interest), and the scheduled instalment (a) may not be less than EUR 25. The annual cost of the card is EUR 20. The annual borrowing rate (effective rate) is 0 % for the first instalment and 12 % for the subsequent instalments.

The 31 monthly repayment amounts (D_i) can be obtained from an amortisation table, giving $D_1 = 55,00$; $D_2 = 33,57$; $D_3 = 32,19$; $D_4 = 30,87$; $D_5 = 29,61$; $D_6 = 28,39$; $D_7 = 27,23$; $D_8 = 26,11$; $D_9 = 25,04$; D_{10} to $D_{12} = 25,00$; $D_{13} = 45$; D_{14} to $D_{24} = 25,00$; $D_{25} = 45$; D_{26} to $D_{30} = 25,00$; $D_{31} = 2,25$.

The equation becomes:

$$700 = 55 \frac{1}{(1+X)^{1/12}} + 33,57 \frac{1}{(1+X)^{2/12}} + \dots + 25 \frac{1}{(1+X)^{30/12}} + 2,25 \frac{1}{(1+X)^{31/12}}$$

giving $X = 18,470574\%$, i.e. an APR of 18,5 %

Example 20

Open-end credit line in the form of an advance on a current account. Total amount of credit: EUR 2 500. The credit agreement does not impose any requirements in terms of repayment of capital, but provides for monthly payment of the total cost of the credit. The annual borrowing rate is 8 % (effective rate). The monthly charges amount to EUR 2.50.

Tuesday 20 April 2004

It is assumed that the full amount of credit will be drawn down, with repayment in theory after one year.

First of all, the theoretical scheduled payment of interest and charges (a) is calculated

$$a = \{2500 \cdot [(1,08)^{1/12} - 1] + 2,50$$

then:

$$2500 = 18,59 \frac{1 - \frac{1}{[(1+X)^{1/12}]^{12}}}{(1+X)^{1/12} - 1} + 2500 \frac{1}{(1+X^{1/12})^{12}}$$

i.e.:

$$2500 = 18,59 \frac{1}{(1+X)^{1/12}} + 18,59 \frac{1}{(1+X)^{2/12}} + \dots + 18,59 \frac{1}{(1+X)^{12/12}} + 2500 \frac{1}{(1+X)^{12/12}}$$

giving $X = 9,295804$, i.e. an APR of **9,3 %**.

P5_TA(2004)0298

Unfair business-to-consumer commercial practices ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive concerning unfair business-to-consumer commercial practices in the Internal Market and amending Directives 84/450/EEC, 97/7/EC and 98/27/EC (the Unfair Commercial Practices Directive) (COM(2003) 356 – C5-0288/2003 – 2003/0134(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 356) ⁽¹⁾,
- having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0288/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0188/2004),

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 the Commission.

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

P5_TC1-COD(2003)0134

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC concerning unfair business-to-consumer commercial practices in the Internal Market and amending Directives 84/450/EEC, 97/7/EC and 98/27/EC (the Unfair Commercial Practices Directive)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular **Articles 95 and 153** 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) In accordance with Article 14(2) of the Treaty, the internal market comprises an area without internal frontiers in which the free movement of goods, services and the freedom of establishment are ensured. The development of fair commercial practices within the area without internal frontiers is vital to promote the development of cross-border activities.
- (2) The laws of the Member States relating to unfair commercial practices show marked differences which can generate appreciable distortions of competition and obstacles to the smooth functioning of the internal market. In the field of advertising, Council Directive 84/450/EEC of 10 September 1984 concerning misleading and comparative advertising⁽⁴⁾ establishes minimum criteria for harmonising misleading advertising, but does not prevent the Member States from retaining or adopting measures which provide more extensive protection for consumers. As a result Member States' provisions on misleading advertising diverge significantly.
- (3) These disparities cause uncertainty as to which national rules apply to unfair commercial practices harming consumers' economic interests and create many barriers affecting business and consumers. These barriers increase the cost to business of exercising internal market freedoms, in particular when they wish to engage in cross border marketing, advertising campaigns and sales promotions. They also make consumers uncertain of their rights and undermine their confidence in the internal market.
- (4) In the absence of uniform rules at Community level, obstacles to *the free movement of services and goods across borders* or the freedom of establishment could be justified in the light of the case-law of the Court of Justice of the European Communities as long as they seek to protect recognised public interest objectives and are proportionate to those objectives. In view of the Community's objectives, as set out in the provisions of the Treaty relating to freedom of movement, of secondary Community law, and in accordance with the Commission's policy on commercial communications⁽⁵⁾, such obstacles should be eliminated. These obstacles can only be eliminated by establishing uniform rules at Community level and by clarifying certain legal concepts at Community level to the extent necessary for the proper functioning of the Internal Market and to meet the requirement of legal certainty.

⁽¹⁾ OJ L [...], [...], p. [...].

⁽²⁾ OJ C [...], [...], p. [...].

⁽³⁾ Position of the European Parliament of 20 April 2004.

⁽⁴⁾ OJ L 250, 19.9.1984, p. 17. Directive as amended by Directive 97/55/EC of the European Parliament and of the Council (OJ L 290, 23.10.1997, p. 18).

⁽⁵⁾ 'The follow-up to the Green Paper on Commercial Communications in the Internal Market' Communication from the Commission. COM(1998) 121 final 4.03.1998.

Tuesday 20 April 2004

- (5) This Directive therefore approximates the laws of the Member States on unfair commercial practices, including unfair advertising, which harm consumers' economic interests. It neither covers nor affects the national laws on unfair commercial practices which harm only competitors' economic interests or which relate to a transaction between traders, **although activities not allowed under this Directive may be considered as unfair under competition rules as well. It does not affect** the provisions of Directive 84/450/EEC on advertising which misleads business but which is not misleading for consumers and on comparative advertising. Neither does it affect accepted advertising and marketing practices such as product placement, brand differentiation or the offering of incentives which may legitimately affect consumers' perceptions of products and influence their behaviour without impairing the consumer's ability to make an informed decision. This Directive addresses commercial practices directly related to influencing consumers' transactional decisions in relation to products. It does not address commercial practices carried out primarily for other purposes, including for example commercial communication aimed at investors, such as annual reports and corporate promotional literature.
- (6) This Directive is without prejudice to individual actions brought by **those** who have been harmed by an unfair commercial practice. It is also without prejudice to Community and national rules on contract law, intellectual property rights, rules relating to the health and safety aspects of products and to Community competition rules and the national provisions implementing them.
- (7) It is necessary to ensure that the relationship between this Directive and existing Community law is coherent, particularly where detailed provisions on unfair commercial practices apply to specific sectors. This Directive therefore amends Directive 84/450/EEC, *Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts*⁽¹⁾ and *Directive 98/27/EC of the European Parliament and of the Council of 19 May 1998 on injunctions for the protection of consumers' interests*⁽²⁾. This Directive accordingly applies only in so far as there are no specific Community law provisions regulating specific aspects of unfair commercial practices, such as information requirements and rules on the way the information is presented to the consumer. It provides protection for consumers where there is no specific sectoral legislation at Community level and prohibits traders from creating a false impression of the nature of products. This is particularly important for complex products with high levels of risk to consumers, such as certain financial services products. The Directive consequently complements the Community acquis which is applicable to commercial practices harming consumers' economic interests and, in particular, *Regulation (EC) No .../2004 of the European Parliament and Council of ... concerning sales promotions in the internal market*⁽³⁾. The Regulation removes certain bans or limitation to the use of sales promotions and reference to them in commercial communications. The general requirements on misleading advertising and other unfair commercial practices, which are applicable to the use and communication of sales promotions, are covered by this Directive.
- (8) The high level of convergence achieved by the approximation of national provisions through this Directive creates a high common level of consumer protection. The Directive **prohibits** unfair commercial practices distorting consumers' economic behaviour. It also sets rules on aggressive commercial practices, which are currently not regulated at EU level. The harmonisation achieved and the high common level of consumer protection **it aims to create will in time produce** the conditions to make the principle of mutual recognition applicable in the field co-ordinated by the Directive.
- (9) As a result of the combination of harmonisation and the principle of mutual recognition legal certainty will considerably increase for both consumers and business. Both consumers and business will be able to rely on a single regulatory framework based on clearly defined legal concepts regulating all aspects of unfair commercial practices across the EU. Business will only have to comply with the

⁽¹⁾ OJ L 144, 4.6.1997, p. 19. *Directive as amended by Directive 2002/65/EC* (OJ L 271, 9.10.2002, p. 16).

⁽²⁾ OJ L 166, 11.6.1998, p. 51. *Directive as last amended by Directive 2002/65/EC*.

⁽³⁾ OJ L [...], [...], p. [...].

Tuesday 20 April 2004

national rules transposing the Directive in the country where there are established. The effect will be to eliminate the barriers stemming from the fragmentation of the rules on unfair commercial practices harming consumer economic interests and enable the achievement of the internal market in this area. The place where a trader is established shall be determined in conformity with any specific provisions in Community law and in conformity with the case law of the Court of Justice of the European Communities.

- (10) In order to achieve the Community's objectives through the removal of internal market barriers it is necessary to **harmonise** Member States' existing, divergent general clauses and legal principles. This Directive therefore **includes a prohibition of** unfair commercial practices distorting consumers' economic behaviour. **In order to achieve its consumer protection objective and to support consumer confidence the prohibition applies equally to unfair commercial practices which occur outside any contractual relationship between the trader and the consumer or following the conclusion of a contract and during its execution. The prohibition** is elaborated by rules on the two types of commercial practices which are by far the most common, namely misleading commercial practices and aggressive commercial practices.
- (11) It is desirable that misleading commercial practices cover those practices, including misleading advertising, which by deceiving the consumer prevent him from making an informed and thus efficient choice. **It is not the intention of this Directive to reduce consumer choice by disallowing or restricting the promotion of cheaper 'lookalike' products except insofar as the consumer needs protection against implicit or explicit attempts to mislead by 'passing off'.** In conformity with the laws and practices of the Member States on misleading advertising, the Directive classifies misleading practices into misleading actions and misleading omissions. In respect of the omissions, the Directive sets out a limited number of key items of information which the consumer needs to make an informed transactional decision. Such information will not have to be disclosed in all advertisements, but only where the trader makes an invitation to purchase, which is a concept clearly defined in the Directive.
- (12) **The commercial practices found in Annex 1 should in all circumstances be regarded as unfair. Member States should transpose Annex 1 in its entirety without modification, deletions or additions. The Commission should regularly report to the European Parliament and Council on the application of the Directive, including Annex 1, and when necessary propose a revision of the Directive in accordance the procedure laid down in Article 251 of the Treaty.**
- (13) The provisions on aggressive commercial practices should cover those practices which significantly impair the consumer's freedom of choice. Those are practices using harassment, coercion and undue influence.
- (14) This Directive codifies the average consumer test elaborated by the Court of Justice of the European Communities. Pursuant to the Court's case law national courts must in applying the test also take **economic**, social, cultural or linguistic factors into account. Where a commercial practice is specifically aimed at a particular group of consumers, such as children, it is desirable that the impact of the commercial practice be assessed from the perspective of the average member of that group.
- (15) **Since the most vulnerable consumers are those most likely to be the victims of the unfair commercial practices covered by this Directive, it is appropriate that their interests as consumers be protected, due regard being had, according to the circumstances of the case, to factors such as age (for example minors and the elderly), particular physical or mental conditions (for example maternity or bereavement) and level of literacy. To this end, it is necessary to prevent undue exploitation of the vulnerable characteristics of a particular group of consumers. In addition, personal characteristics which make individuals particularly vulnerable, such as physical or mental disabilities, ought to be taken into account in cases of direct relations with individual consumers, such as door-to-door sales or solicitations or harassment directed towards individual consumers before, during and after the conclusion of a contract.**

Tuesday 20 April 2004

- (16) It is appropriate to provide a role for codes of conduct, which enable traders to **establish self-binding rules in accordance with the principles of this Directive. The establishment and the use of these codes and of the firm commitments within them should respect the requirements established by competition law. With the aim of pursuing a high level of consumer protection, consumers' organisations should be informed and involved in the drafting of a code of conduct.**
- (17) Persons or organisations regarded under national law as having a legitimate interest in the matter must have legal remedies for initiating proceedings against unfair commercial practices, either before a court or before an administrative authority which is competent to decide upon complaints or to initiate appropriate legal proceedings.
- (18) It is necessary that Member States lay down penalties for infringements of the provisions of this directive and must ensure that they are enforced. These penalties must be effective, proportionate and constitute a deterrent.
- (19) Since the objectives of the proposed action, namely to eliminate the barriers to the functioning of the internal market represented by national laws on unfair commercial practices and to provide a high common level of consumer protection, by approximating the laws, regulations and administrative provisions of the Member States on unfair commercial practices, cannot sufficiently be achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this directive does not go beyond what is necessary in order to eliminate the internal market barriers and achieve a high common level of consumer protection.
- (20) This directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER 1:

GENERAL PROVISIONS

Article 1

Objective of the Directive

The purpose of this Directive is to contribute to the proper functioning of the internal market and achieve a high level of consumer protection by approximating the laws, regulations and administrative provisions of the Member States on unfair commercial practices harming consumers' economic interests, as defined below.

Article 2

Definitions

For the purposes of this Directive:

- (a) 'consumer' means any natural person who, in commercial practices covered by this Directive, is acting for purposes which are outside his trade, business or profession;
- (b) 'average consumer' means the consumer who is reasonably well informed and reasonably observant and circumspect, **taking account of social, cultural and linguistic circumstances;**

Tuesday 20 April 2004

- (c) *'particular group of consumers' means a group of consumers who have distinct characteristics of a non-economic nature, such as:*
- (i) *consumers who are vulnerable as a result of various factors, such as age, disability, physical or mental conditions (including temporary ones) or level of literacy, which influence their assessment and/or reaction capacities;*
 - (ii) *consumers who are addressed by traders and who have specific knowledge in the sector enabling them to understand a specialist commercial communication;*
- (d) *'seller or supplier' (hereinafter referred to as 'trader') means:*
- *any natural or legal person who, in commercial practices covered by this Directive, is acting for purposes relating to his trade, business or profession, or with a view to achieving his statutory objective; the trader shall be deemed responsible for any action which he deliberately promotes by means of his own behaviour or which he makes possible in the first place;*
 - *any public authority or legal person in which the state has a controlling interest which carries on a commercial, financial or industrial activity and offers for sale or sells products or services;*
 - *any person who, whether in his own name or in the name or on behalf of a third party having or not having legal personality, carries on, on a profit-making or non-profit-making basis, a commercial, financial or industrial activity and offers for sale or sells products or services;*
- (e) *'product' means any good or service including immovable property;*
- (f) *'commercial practices' means any act, omission, course of conduct or representation, or commercial communication, including advertising and marketing, by a trader that is directly connected with the promotion, sale or supply by that trader of a product to consumers;*
- (g) *'to materially distort the economic behaviour of consumers' means using a commercial practice to significantly impair the consumer's ability to make an informed decision and thereby causing the consumer to take a transactional decision that he would not have taken otherwise;*
- (h) *'code of conduct' means a voluntary agreement which defines the behaviour of the traders who undertake to be bound by the code or are bound by it in relation to one or more particular commercial practices or business sectors. Consumer organisations may participate in drawing up such codes;*
- (i) *'code owner' means the natural or legal person who is responsible for the formulation and revision of a code of conduct and therefore for monitoring compliance with the code by those who have undertaken to be bound by it;*
- (j) *'professional diligence' means the standard of skill and care which a trader may reasonably be expected to exercise towards consumers, having regard to any particular requirements of market practice in his field of activity in the Member State where he is established and the requirements of good faith in line with the provisions laid down in Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts⁽¹⁾;*
- (k) *'invitation to purchase' means a commercial communication which indicates the main characteristics of the product and the price in a way appropriate to the means of the commercial communication used and thereby provides the consumer with an opportunity of purchasing the product from the trader or his agent;*
- (l) *'undue influence' means exploiting a position of power to apply pressure, even without using or threatening to use physical force, in a way which significantly limits the consumer's ability to make an informed decision.*
- (m) *'firm commitment' means a commitment in a code of conduct which constitutes a specific obligation on the part of the signatory to perform a specific act or adopt a specific course of conduct in relation to the consumer with regard to the commercial practices covered by this Directive. It excludes any commitments which the code itself specifically excludes from the classification of firm commitments or which are mentioned as mere aims or aspirations.*

⁽¹⁾ OJ L 95, 21.4.1993, p. 29.

Tuesday 20 April 2004

Article 3

Scope

1. This Directive shall apply to unfair **business-to-consumer** commercial practices, as defined below in Article 5. ***It shall apply to consumers' transactional decisions even where those decisions do not result in a contract between the consumer and a trader. Where any such contract is formed, this Directive shall apply equally to transactional decisions before and after the formation of the contract.***
2. This Directive is without prejudice to the rules on the validity, formation or effect of a contract.
3. This Directive is without prejudice to the determination of the types of damage which may be caused by an unfair commercial practice and their quantification.
4. This Directive does not affect Community or national rules relating to the health and safety aspects of products.
5. In case of conflict between the provisions of this Directive and other Community rules governing specific aspects of unfair commercial practices, the latter will prevail and apply to the specific aspects of the unfair commercial practices.
6. This Directive is without prejudice to the rules determining the jurisdiction of the courts ***and to the rules determining the law applicable to non-contractual obligations.***
7. ***This Directive (apart from Article 4) is without prejudice to the requirements of authorisation schemes, codes of conduct or other specific rules governing the conduct of traders supplying or promoting those products which, by reason of their characteristics, necessitate detailed requirements to protect the interests of consumers, provided the aforesaid requirements secure a level of consumer protection at least as high as that secured by this Directive.***

Article 4

Internal market

1. Traders shall only comply with the national provisions, falling within the field approximated by this Directive, of the Member State in which they are established. The Member State in which the trader is established shall ensure such compliance.
2. Member States shall neither restrict the freedom to provide services nor restrict the free movement of goods for reasons falling within the field approximated by this Directive.
3. ***This Directive is without prejudice to the competence of the Member States to take measures in sectors not harmonised by this Directive, such as health, the protection of the physical, mental or moral wellbeing of minors and public security.***
4. ***By way of derogation, for a period of five years from the transposition of the directive, Member States shall be able to take national measures in the sector harmonised by this directive which are more rigorous or restrictive than those of the directive, and on the basis of the minimum harmonisation clauses contained in existing directives, in sectors harmonised by those directives. These measures must be aimed at ensuring that consumers are adequately protected against unfair commercial practices and must be proportionate to the objective pursued.***
5. ***Member States shall notify the Commission without delay of national measures referred to in paragraph 4.***

Tuesday 20 April 2004

CHAPTER 2:

UNFAIR COMMERCIAL PRACTICES

Article 5

Prohibition of unfair commercial practices

1. Unfair commercial practices are prohibited.
2. A commercial practice shall be regarded as unfair if:
 - it is contrary to the requirements of professional diligence **and good faith**, and
 - it materially distorts or is likely to materially distort the economic behaviour with regard to the product of the average consumer whom it reaches or to whom it is addressed, or of the average member of the group when a commercial practice is specifically directed to a particular group of consumers. **The need to protect particularly vulnerable consumers must, however, be safeguarded.**
3. In particular, commercial practices shall be regarded as unfair **within the meaning of paragraph 2 if they**
 - (a) are misleading, or
 - (b) are aggressive

as defined below in this Directive.

4. Annex 1 contains **an exhaustive** list of commercial practices which shall in all circumstances be regarded as unfair. **The list shall be amended only by the procedure laid down in Article 251 of the Treaty.**

SECTION 1

MISLEADING COMMERCIAL PRACTICES

Article 6

Misleading actions

1. A commercial practice shall be regarded as misleading if in any way, including overall presentation, it causes or is likely to cause **the consumer** to take a transactional decision **of economic significance**, because it deceives or is likely to deceive him in relation to:
 - (a) the main characteristics of the product, such as its availability, benefits, risks, execution, composition, accessories, after-sale customer assistance and complaint handling, method and date of manufacture or provision, delivery, fitness for purpose, usage, quantity, specification, geographical or commercial origin or the results to be expected from its use, or the results and material features of tests or checks carried out on the product;
 - (b) any statement or symbol in relation to direct or indirect sponsorship or approval of the trader or the product;
 - (c) the price or the manner in which the price is calculated, or the existence of a specific price advantage;
 - (d) the need for a service, part, replacement or repair **unless the trader, in deciding on such need, exercised professional diligence within the meaning of Article 2(j);**

Tuesday 20 April 2004

- (e) the nature, attributes and rights of the trader or his agent, such as his identity and assets, his qualifications, status, approval, affiliation or connection and ownership of industrial, commercial or intellectual property rights or his awards and distinctions;
 - (f) claims about the product **which cannot be substantiated**;
 - (g) the consumer's rights or the risks he may face.
2. A commercial practice shall also be regarded as misleading where, in its factual context, taking account of all its features and circumstances, it thereby causes or is likely to cause **the consumer** to take a transactional decision **of economic significance** that he would not have taken otherwise, and it involves:
- (a) any marketing of a product, including comparative advertising, which creates confusion with any products, trade marks, trade names and other distinguishing marks of a competitor;
 - (b) non-compliance by the trader with commitments contained in codes of conduct by which the trader has undertaken to be bound, where:
 - the commitment is firm and is capable of being verified, and
 - information specifying the traders to whom the code applies and the content of the code are publicly available; or
 - **the trader himself announces that he has signed up to the code of conduct**;
 - (c) non-compliance with a commitment given to a public authority to cease an unfair commercial practice under this Directive.

Article 7

Misleading omissions

1. A commercial practice shall be regarded as misleading if, in its factual context, taking account of all its features and circumstances **and, if appropriate, of the nature of the means of communication used**, it omits material information **or, where there are physical limitations of space or transmission time, it fails to make available on request material information** that the average consumer needs, according to the context, **in order to take an informed transactional decision, or if the possibility of obtaining such information or amplifying it is withheld**, and the practice thereby causes the average consumer to take a transactional decision **of economic significance that he would not have taken otherwise**.
2. It shall also be regarded as a misleading omission when a trader hides or provides in an **incomplete, unclear, unintelligible, ambiguous or untimely manner** such material information **or does not provide it when he has been asked for it by the consumer** or fails to identify the commercial intent of the commercial practice **where it is not already apparent from the context**.
3. For commercial practices *preceding* a commercial transaction a misleading omission may occur only if a trader makes an invitation to purchase. In the case of an invitation to purchase, **and taking into consideration the medium through which this invitation is disseminated, all or some of** the following information **may** be regarded as material, if not already apparent from the context:
- (a) the main characteristics of the product;
 - (b) **in every written document**, the trading name of the trader and, where applicable, the trading name of the trader on whose behalf he is acting;
 - (c) the price inclusive of taxes, as well as, where appropriate, all additional freight, delivery or postal charges or, where these charges cannot reasonably be calculated in advance, the fact that additional charges may be payable;
 - (d) the arrangements for payment, delivery, performance and the complaint handling policy, if they depart from the requirements of professional diligence;

Tuesday 20 April 2004

- (e) for products and transactions involving a right of withdrawal or cancellation, **exchange and/or refund**, the existence of such a right;
- (f) **the exact content and origin in the case of foodstuffs;**
- (g) **full details of the product guarantee and conditions of after-sales service;**
- (h) **membership of a code of conduct, where applicable.**

4. **All information listed in paragraph 3 shall be displayed in a clear and visible manner.**

5. Information requirements **involving the range of the products offered by the specific trader** in relation to advertising, commercial communication or marketing established by Community law shall be regarded as material.

6. Annex 2 contains a non-exhaustive list of Community law provisions setting out information requirements in relation to commercial communication, advertising or marketing.

7. **Traders duly fulfilling the information requirements laid down by this Article shall be presumed not to have omitted material information that the average consumer needed in order to take an informed transactional decision.**

SECTION 2

AGGRESSIVE COMMERCIAL PRACTICES

Article 8

Aggressive commercial practices

A commercial practice shall be regarded as aggressive if, in its factual context, taking account of all its features and circumstances, by harassment, coercion or undue influence, it significantly impairs or is likely to significantly impair the average consumer's freedom of choice or conduct with regard to the product and thereby causes him or is likely to cause him to take a transactional decision that he would not have taken otherwise.

Article 9

Use of harassment, coercion and undue influence

In determining whether a commercial practice uses harassment, coercion or undue influence account shall be taken of

- (a) its timing, nature or persistence;
- (b) the use of threatening or abusive language or behaviour;
- (c) the use by the trader of any specific misfortune or circumstance **resulting in such vulnerability** as to impair the consumer's judgement, of which the trader is aware, to influence the consumer's decision with regard to the product **save where the consumer is explicitly seeking the product in connection with the misfortune or circumstance;**
- (d) any onerous or disproportionate non-contractual barriers established by the trader where a consumer wishes to exercise rights under the contract, including rights to terminate a contract or to switch to another product or another trader;
- (e) any threat to take any action that cannot legally be taken, **unless the trader proves his good faith.**

Tuesday 20 April 2004

CHAPTER 3:
CODES OF CONDUCT

Article 10
Codes of conduct

1. *Codes of conduct contain appropriate and effective mechanisms for monitoring and enforcing compliance with the code. Consumer organisations may participate in the drafting of the code.*
2. This Directive does not exclude the **enforcement of codes of conduct by code users in order to control unfair commercial practices** and recourse to such bodies by the persons or organisations referred to in Article 11 if proceedings before such bodies are in addition to the court or administrative proceedings referred to in that Article.
3. *The optional procedures referred to in paragraph 2 may be arbitration proceedings and may make provision for the payment of sums of money by way of penalty or as compensation.*

CHAPTER 4:
FINAL PROVISIONS

Article 11
Enforcement

1. Member States shall **establish** adequate and effective **means to** combat unfair commercial practices **in order to ensure** compliance with the provisions of this Directive in the interest of consumers.

Such means shall include legal provisions under which persons or organisations regarded under national law as having a legitimate interest in combating unfair commercial practices may:

- take legal action against such unfair commercial practices; and/or
- bring such unfair commercial practices before an administrative authority competent either to decide on complaints or to initiate appropriate legal proceedings.

It shall be for each Member State to decide which of these facilities shall be available and whether to enable the courts or administrative authorities to require prior recourse to other established means of dealing with complaints, including those referred to in Article 10.

With due regard for national laws, these legal facilities may be directed separately or jointly against a number of traders from the same economic **sector**.

2. Under the legal provisions referred to in paragraph 1, Member States shall confer upon the courts or administrative authorities powers enabling them, in cases where they deem such measures to be necessary taking into account all the interests involved and in particular the public interest:

- to order the cessation of, or to institute appropriate legal proceedings for an order for the cessation of, unfair commercial practices, or
- if the unfair commercial practice has not yet been carried out but is imminent, to order the prohibition of the practice, or to institute appropriate legal proceedings for an order for the prohibition of the practice,

even without proof of actual loss or damage or of intention or negligence on the part of the trader.

Tuesday 20 April 2004

Member States shall also make provision for the measures referred to in the first subparagraph to be taken under an accelerated procedure:

- either with interim effect, or
- with definitive effect,

on the understanding that it is for each Member State to decide which of the two options to select.

Furthermore, Member States may confer upon the courts or administrative authorities powers enabling them, with a view to eliminating the continuing effects of unfair commercial practices, the cessation of which has been ordered by a final decision:

- to require publication of that decision in full or in part and in such form as they deem adequate,
- to require in addition the publication of a corrective statement.

3. The administrative authorities referred to in paragraph 1 must:

- (a) be composed so as not to cast doubt on their impartiality;
- (b) have adequate powers, where they decide on complaints, to monitor and enforce the observance of their decisions effectively;
- (c) **give** reasons for their decisions.

Where the powers referred to in paragraph 2 are exercised exclusively by an administrative authority, reasons for its decisions shall always be given. Furthermore in this case, provision must be made for procedures whereby improper or unreasonable exercise of its powers by the administrative authority or improper or unreasonable failure to exercise the said powers can be the subject of judicial review.

Article 12

Courts and administrative authorities

Member States shall confer upon the courts or administrative authorities powers enabling them in the civil or administrative proceedings provided for in Article 11:

- (a) to require the trader to substantiate factual claims in relation to a commercial practice if, taking into account the legitimate interest of the trader and any other party to the proceedings, such a requirement appears appropriate on the basis of the circumstances of the particular case; and
- (b) to consider factual claims as inaccurate if the evidence demanded in accordance with (a) is not furnished or is deemed insufficient by the court or administrative authority.

Article 13

Penalties

Member States shall lay down penalties for infringements of national provisions adopted in application of this Directive and shall take all necessary measures to ensure that these are enforced. These penalties must be effective, proportionate and constitute a deterrent.

Tuesday 20 April 2004

Article 14

Amendments to Directive 84/450/EEC

Directive 84/450/EEC is hereby amended as follows:

- (1) Article 1 shall be replaced by the following:

‘Article 1

The purpose of this Directive is to protect traders against misleading advertising and the unfair consequences thereof and to lay down the conditions under which comparative advertising is permitted.’

- (2) Article 2(3) shall be replaced by the following:

‘3) ‘seller or supplier’ (hereinafter referred to as ‘trader’) means any natural or legal person who is acting for purposes relating to his trade, craft, business or profession.’

- (3) The following Article 2(3a) shall be added:

‘3a. ‘code owner’ means any entity, including a trader or group of traders, which is responsible for the formulation and revision of a code of conduct and for monitoring compliance by the signatories with the code.’

- (4) Article 3a shall be replaced by the following:

‘Article 3a

Comparative advertising shall, as far as the comparison is concerned, be permitted when the following conditions are met:

- (a) it compares goods or services meeting the same needs or intended for the same purpose;
- (b) it objectively compares one or more material, relevant, verifiable and representative features of those goods and services, which may include price;
- (c) it does not discredit or denigrate the trade marks, trade names, other distinguishing marks, goods, services, activities, or circumstances of a competitor;
- (d) for products with designation of origin, it relates in each case to products with the same designation;
- (e) it does not take unfair advantage of the reputation of a trade mark, trade name or other distinguishing marks of a competitor or of the designation of origin of competing products;
- (f) it does not present goods or services as imitations or replicas of goods or services bearing a protected trade mark or trade name.’

- (5) Article 4(1) shall be replaced by the following:

‘1. Member States shall ensure that adequate and effective means exist to combat misleading advertising and for the compliance with the provisions on comparative advertising in the interest of traders and competitors. Such means shall include legal provisions under which persons or organisations regarded under national law as having a legitimate interest in combating misleading advertising or regulating comparative advertising may:

- (a) take legal action against such advertising; or
- (b) bring such advertising before an administrative authority competent either to decide on complaints or to initiate appropriate legal proceedings.

Tuesday 20 April 2004

It shall be for each Member State to decide which of these facilities shall be available and whether to enable the courts or administrative authorities to require prior recourse to other established means of dealing with complaints, including those referred to in Article 5.

With due regard for national laws, these legal facilities may be directed separately or jointly against a number of traders from the same economic **sector**.'

(6) In Article 6(a) the words 'furnish evidence as to the accuracy of factual claims' shall be replaced by the words 'substantiate factual claims'.

(7) Article 7(1) shall be replaced by the following:

'1. This Directive shall not preclude Member States from retaining or adopting provisions with a view to ensuring more extensive protection, with regard to misleading advertising, for traders and competitors'

Article 15

Amendment to Directive 97/7/EC [Distance Selling]

Article 9 shall be replaced by the following:

'Article 9

Inertia selling

Member States shall take the measures necessary to exempt the consumer from the provision of any consideration in cases of unsolicited supply, the absence of a response not constituting consent.'

Article 16

Amendment to Directive 98/27/EC [Injunctions]

In the Annex to Directive 98/27/EC the text in point 1 shall be replaced by the following:

'1. Directive 2004/.../EC of the European Parliament and of the Council of ... concerning unfair commercial practices affecting consumers in the internal market (OJ L, xx p.)'

Article 17

Information

Member States shall take appropriate measures to inform the consumer of the national law transposing this Directive and shall encourage, where appropriate, **traders, professional organizations and code owners** to inform consumers of their codes of conduct.

Article 18

Revision

1. The Commission shall report regularly to the European Parliament and the Council on the application of this Directive in the Member States and shall put forward, every five years, a proposal for a revised list of commercial practices which are in all circumstances considered unfair, as contained in Annex I to this Directive.

2. The Commission shall no later than four years after the transposition of this Directive submit to the European Parliament and the Council a comprehensive report on the application of the Directive, in particular of Article 4, accompanied, if necessary, by a proposal to revise Article 4.

3. The European Parliament and the Council shall, on this basis, re-examine the provision of Article 4 and shall act, in accordance with the Treaty, within two years of the presentation by the Commission of the proposal referred to in paragraph 2.

Tuesday 20 April 2004

Article 19

Transposition

Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive by [...] (*). They shall forthwith inform the Commission thereof and inform the Commission of any subsequent amendments without delay.

They shall apply these provisions by [...] (**).

When Member States adopt these 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 reference is to be made.

Article 20

Entry into force

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

Article 21

Addressees

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

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

(**) Two years after the entry into force of this Directive.

ANNEX 1

COMMERCIAL PRACTICES,
WHICH ARE IN ALL CIRCUMSTANCES CONSIDERED UNFAIR

Misleading commercial practices

- (1) Claiming **in bad faith** to be a signatory to a code of conduct when the trader is not.
- (2) Claiming that a code of conduct has an endorsement from a public or other body which it does not have.
- (3) Making an invitation to purchase products at a specified price if there are **indications** that the trader will not be able to offer for supply or to procure another trader to supply, those products or equivalent products at that price for a period that is, and in quantities that are reasonable having regard to the product, **the scale of advertising of the product** and price offered (bait advertising).
- (4) Making an invitation to purchase products at a specified price and then:
 - (a) refusing to show the advertised item to consumers, or
 - (b) refusing to take orders for it or deliver it within a reasonable time, or

Tuesday 20 April 2004

- (c) disparaging the product,
 - (d) or demonstrating a defective sample of it
- with the intention of promoting a different product (bait and switch).
- (5) Falsely stating that the product will only be available for a very **limited** time in order to elicit an immediate decision and deprive consumers of sufficient opportunity or time to make an informed choice.
 - (6) Undertaking to provide after-sales service to the consumer and then making such service available only in a language other than the one which the trader used in communications with the consumer prior to a transaction without clearly disclosing this to the consumer before the consumer is committed to the transaction.
 - (7) Stating **in bad faith** that a product can legally be sold when it cannot.
 - (8) **Advertisement features, announcements or promotions, sometimes referred to as 'advertorials', that are disseminated in exchange for a payment or other reciprocal arrangement should comply with the Directive if the marketers rather than the publishers control their content. Traders and publishers shall make it clear that advertisement features are advertisements, for example by heading them 'advertisement feature'.**
 - (9) Falsely arguing that the personal security of the consumer or his family is at risk if the consumer does not purchase the product **or materially overstating the risks that the consumer or his family is at if the consumer does or does not purchase the product.**
 - (10) Establishing, operating or promoting a pyramid promotional scheme where a consumer gives consideration for the opportunity to receive compensation that is derived primarily from the introduction of other consumers into the scheme rather than from the sale or consumption of **products.**
 - (11) **Using an artificially high reference price as the basis to grant discounts and so giving the consumer the false impression that there is a price advantage.**
 - (12) Using the expression 'liquidation sale' or equivalent when the trader is not about to cease trading **and is not facing circumstances which give him the legal right to describe his sales position as a liquidation sale.**
 - (13) **Promoting a product similar to that made by a particular manufacturer in such a manner as to suggest it is made by that same manufacturer when that is not the case.**
 - (14) **Supplying goods or services to consumers who have not requested them, unless it is made clear that the goods or services are free and may be retained or used without any obligation on the part of the consumer.**
 - (15) **Carrying on business in such a way as to make it difficult for consumers to know the true identity of the person or persons that would normally be liable as seller or supplier under the applicable law.**
 - (16) **Promoting the supply of products or services under the guise of canvassing or soliciting opinions.**
 - (17) **Advertising or promoting products or services in such a way as to disguise the commercial intent of the communication.**
 - (18) **Procuring in a fraudulent manner the signature by the consumer of waivers of the legal protection set out in this Directive.**

Tuesday 20 April 2004

(19) *The practice of going into liquidation or changing ownership with the express purpose of avoiding liabilities and previous agreements (Phoenix companies).*

(20) *Competitions and prize promotions in schemes where there has not been and there is no intention of providing the prizes described.*

Aggressive commercial practices

(1) Creating the impression that the consumer cannot leave the premises until the contract is signed or the payment made.

(2) Conducting prolonged and/or repeated personal visits to the consumer's home ignoring the consumer's request to leave **and not to return**.

(3) Making persistent and unwanted solicitations by telephone, fax, e-mail or other remote media **once the consumer has made clear that these solicitations are no longer desired**.

'Solicitation' does not extend to legitimate activity to enforce a contract obligation which may or may not lead to a new contract.

(4) Targeting consumers who have recently suffered a bereavement or serious illness in their family in order to sell a product which bears a direct relationship with the misfortune. **This provision shall not apply to funeral directors or associated trades.**

(5) Requiring **an insured person** to produce documents which could not reasonably be considered relevant as to whether **his insurance** claim was valid **with a view to dissuading** the consumer from exercising his contractual rights.

(6) Advertising to children in a way which implies that their acceptance by their peers is dependent on **them buying or being bought** a particular product. This provision is without prejudice to Article 16 of Directive 89/552/EEC on television broadcasting ⁽¹⁾.

(7) Demanding payment for **or the return of** products supplied by the trader, but which were not solicited by the consumer (inertia selling).

Except in the case of substitute goods as established in Article 7(3) of Directive 97/7/EC.

(8) **Imposing onerous or unreasonable obstacles, whether procedural or substantive, on consumers who wish to exercise their right to terminate a contract or switch to another supplier.**

⁽¹⁾ Council Directive 89/552/EEC of 3 October 1989 on the co-ordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ L 298, 17.10.1989, p. 23). Directive as amended by Directive 97/36/EC of the European Parliament and of the Council (OJ L 202, 30.7.1997, p. 60).

ANNEX 2

COMMUNITY LAW PROVISIONS SETTING OUT RULES FOR ADVERTISING AND COMMERCIAL COMMUNICATION

Articles 4 and 5 of Directive 97/7/EC on the protection of consumers in respect of distance contracts ⁽¹⁾

Article 3 of Directive 90/314/EEC on package travel, package holidays and package tours ⁽²⁾

⁽¹⁾ OJ L 144, 4.6.1997, p. 19.

⁽²⁾ OJ L 158, 23.6.1990, p. 59.

Tuesday 20 April 2004

Article 3(3) of Directive 94/47/EC on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of a right to use immovable property on a timeshare basis⁽¹⁾.

Article 3(4) of Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers⁽²⁾.

Articles 86 to 100 of Directive 2001/83/EC on the Community code relating to medicinal products for human use⁽³⁾.

Article 6 of Directive 2000/31/EC on certain aspects of electronic commerce in the Internal Market (Directive on electronic commerce)⁽⁴⁾.

Article 4 of and the Annex to [the proposal for a Regulation concerning sales promotions in the internal market].

Article 4 of Directive 2004/.../EC [consumer credit proposal⁽⁵⁾ (replacing Article 3 of Directive 87/102/EEC concerning consumer credit agreements⁽⁶⁾, as amended by Directive 90/88/EEC⁽⁷⁾ and Directive 98/7/EC⁽⁸⁾)].

Articles 3 and 4 of Directive 2002/65/EC concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC⁽⁹⁾.

Article 1(9) of Directive 2001/107/EC amending Council Directive 85/611/EEC on the co-ordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) with a view to regulating management companies and simplified prospectuses⁽¹⁰⁾.

Articles 12 and 13 of Directive 2002/92/EC on insurance mediation⁽¹¹⁾.

Article 36 of Directive 2002/83/EC concerning life assurance⁽¹²⁾.

Article 19 of Directive 2004/39/EC of the European Parliament and of the Council on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC⁽¹³⁾.

Article 31 and 43 of Directive 92/49/EEC on the co-ordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and amending Directives 73/239/EEC and 88/357/EEC (third non-life insurance Directive)⁽¹⁴⁾.

Articles 5, 7 and 8 of Directive 2003/71/EC on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC⁽¹⁵⁾.

⁽¹⁾ OJ L 280, 29.10.1994, p. 83.

⁽²⁾ OJ L 80, 18.3.1998, p. 27.

⁽³⁾ OJ L 311, 28.11.2001, p. 67.

⁽⁴⁾ OJ L 178, 17.7.2000, p. 1.

⁽⁵⁾ COM(2002) 443 final.

⁽⁶⁾ OJ L 42, 12.2.1987, p. 48.

⁽⁷⁾ OJ L 61, 10.3.1990, p. 14.

⁽⁸⁾ OJ L 101, 1.4.1998, p. 17.

⁽⁹⁾ OJ L 271, 9.1.2002, p. 16.

⁽¹⁰⁾ OJ L 41, 13.2.2002, p. 20.

⁽¹¹⁾ OJ L 9, 15.1.2003, p. 3.

⁽¹²⁾ OJ L 345, 19.12.2002, p. 1.

⁽¹³⁾ OJ L 145, 30.4.2004, p. 1.

⁽¹⁴⁾ OJ L 228, 11.8.1992, p. 1.

⁽¹⁵⁾ OJ L 345, 31.12.2003, p. 64.

Tuesday 20 April 2004

P5_TA(2004)0299

Residue levels of pesticides in plant and animal products *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on on maximum residue levels of pesticides in products of plant and animal origin (COM(2003) 117 – C5-0108/2003 – 2003/0052(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 117) ⁽¹⁾,
- having regard to Articles 251(2) and 95 and 152 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0108/2003),
- 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 and the opinion of the Committee on Agriculture and Rural Development (A5-0260/2004),

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 the OJ.

P5_TC1-COD(2003)0052

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Regulation (EC) No .../2004 of the European Parliament and of the Council on maximum residue levels of pesticides in products of plant and animal origin

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third subparagraph of Article 37(2), Article 95(1) and 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⁾,

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⁾,

⁽¹⁾ OJ C ...

⁽²⁾ OJ C 234, 30.9.2003, p. 33.

⁽³⁾ OJ C ...

⁽⁴⁾ Position of the European Parliament of 20 April 2004.

Tuesday 20 April 2004

Whereas:

- (1) Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables⁽¹⁾, Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals⁽²⁾, Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin⁽³⁾, and Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on products of plant origin, including fruit and vegetables⁽⁴⁾, have been substantially amended several times. In the interests of clarity and simplicity, those Directives should be repealed and replaced by a single act.
- (2) This Regulation directly concerns public health and is relevant to the functioning of the internal market. It covers products which are included in Annex I to the Treaty as well as products which are not. Consequently, it is appropriate to choose the third subparagraph of Article 37(2), Article 95(1) and Article 152(4)(b) as the legal basis.
- (3) Differences in national maximum residue levels for pesticides can pose barriers to trade between Member States and trade between third countries and the Community, **and create differences in public health protection**. Accordingly, in the interest of free movement of goods, equal competition conditions among the Member States, as well as **equal** consumer protection **among all consumers**, it is appropriate that maximum residue levels (MRLs) for products of plant and animal origin be set at Community level, **accounting for different climate conditions, and on the basis of the best available agricultural practices (integrated pest management)**.
- (4) A regulation⁽⁵⁾ establishing MRLs does not require transposition into national law in the Member States. It is therefore the most appropriate legal instrument to set MRLs for pesticides in products of plant and animal origin, as its precise requirements should be applied at the same time and in the same manner throughout the Community and accordingly permit a more efficient use of national resources.
- (5) The production and consumption of plant and animal products play a very important role in the Community. The yield from plant production is continually being affected by harmful organisms. It is essential to protect plants and plant products against such **organisms, to** prevent a reduction in yield or damage to them **and** to ensure **high** agricultural productivity. **To this end, different methods are available: non-chemical methods, practices such as using resistant varieties, crop rotation, mechanical weeding, biological control and chemical methods such as the use of plant protection products or pesticides.**
- (6) One of the most **common** methods of protecting plants and plant products from the effects of harmful organisms is the use of active substances in plant protection products. However, **a consequence** of their use may be the presence of residues in the treated commodities, in animals feeding on those commodities and in honey produced by bees exposed to them. **As public health should be**

⁽¹⁾ OJ L 340, 9.12.1976, p. 26. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽²⁾ OJ L 221, 7.8.1986, p. 37. Directive as last amended by Commission Directive 2004/2/EC (OJ L 14, 21.1.2004, p. 10).

⁽³⁾ OJ L 221, 7.8.1986, p. 43. Directive as last amended by Commission Directive 2004/2/EC.

⁽⁴⁾ OJ L 350, 14.12.1990, p. 71. Directive as last amended by Commission Directive 2004/2/EC.

⁽⁵⁾ OJ L 165, 30.4.2004, p. 1.

Tuesday 20 April 2004

given priority over the interests of crop protection according to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽¹⁾, it is necessary to ensure that such residues should not be present at levels presenting an unacceptable risk to human or animal health. MRLs should be set at the lowest reasonably achievable level for each pesticide with a view to protecting vulnerable groups such as children and the unborn, and in order to minimise possible combined effects of multiple residues.

- (7) A number of active substances are banned under Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances⁽²⁾. At the same time, many other active substances are not currently authorised under Directive 91/414/EEC. The residues of active substances in products of plant and animal origin arising from unauthorised use or from environmental contamination or from use in third countries should be carefully controlled and monitored.
- (8) The basic rules with regard to feed and food law are laid down in 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⁽³⁾.
- (9) In addition to those basic rules, more specific rules are needed to ensure the effective functioning of the internal market and trade with third countries in relation to fresh, processed and composite plant and animal products intended for human consumption or animal feed on which pesticide residues may be present, whilst providing the basis for securing a high level of protection for human and animal health and the interests of consumers. Such rules should include the specification of MRLs for each pesticide on all food and feed products and the quality of the data underlying these MRLs.
- (10) Specific rules for animal feed including marketing, storage of feed and feeding of animals are provided for in Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed⁽⁴⁾. For certain products it is not possible to determine whether they will be transformed into food or animal feed. Therefore the Pesticide Residues on such products should be safe both for human and animal consumption. Accordingly it is appropriate that the rules set out in this Regulation also apply to those products in addition to the specific rules for animal nutrition.
- (11) The basic rules with regard to official control of food and feed controls are laid down in Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁽⁵⁾. It is appropriate that specific rules concerning monitoring and control of pesticide residues be introduced.
- (12) Council Directive 91/414/EEC provides basic rules with respect to the use and placing on the market of plant protection products. In particular the use of those products should have no harmful effects on human or animal health. Pesticide residues resulting from uses of plant protection products may have harmful effects on the health of consumers. It is therefore appropriate that rules for the M R Ls on the products intended for human consumption are defined that are linked to the authorisation for use of the pesticides as defined in the framework of Council Directive 91/414/EEC.

⁽¹⁾ ***OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2004/30/EC (OJ L 77, 13.3.2004, p. 50).***

⁽²⁾ OJ L 33, 8.2.1979, p. 36. Directive as last amended by Regulation (EC) No 807/2003.

⁽³⁾ 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).

⁽⁴⁾ OJ L 140, 30.5.2002, p. 10. Directive as last amended by Commission Directive 2003/100/EC (OJ L 285, 1.10.2003, p. 33).

⁽⁵⁾ OJ L 165, 30.4.2004, p. 1.

Tuesday 20 April 2004

- (13) *With a view to human exposure to combinations of active substances and their cumulative and possible synergistic effects on human health, aggregate MRLs should be set after consultation of the European Food Safety Authority, who will submit proposals for the calculation of aggregate MRLs.*
- (14) *Whilst considering MRLs of pesticides, it should also be recognised that few consumers know about the risks arising from pesticides. It would be valuable to see the European Food Safety Authority embark on a project to fully explain the risks to the public.*
- (15) Directive 91/414/EEC provides that Member States, when issuing authorisations, are to prescribe that plant protection products be used **properly**. **The** MRLs should be set as low as is consistent with **good agricultural practice, provided that they do not present a risk to consumer health**. The Community should encourage the use of methods or products favouring a reduction in risk, and a reduction in the amounts of pesticides used to levels consistent with efficient pest control.
- (16) It is necessary to define at Community level certain terms used for the setting, **monitoring, control and reporting** of MRLs in and on products of plant and animal origin **and guidelines for the sanctioning of producers or traders**.
- (17) Directive 76/895/EEC provides for the possibility for the Member States to authorise higher levels of MRLs than are currently authorised at Community level. That possibility should cease to exist as, in view of the internal market, it could create obstacles to intra-Community trade.
- (18) The determination of MRLs for pesticides requires lengthy technical consideration and includes an assessment of potential risks to consumers. Therefore, MRLs cannot be set immediately for the residues of pesticides currently regulated by Directive 76/895/EEC or for pesticides for which Community levels have not yet been set.
- (19) It is appropriate that the minimum data requirements to be used when considering the setting of MRLs for pesticides be laid down at Community level.
- (20) In exceptional circumstances, for unauthorised pesticides that may be present in the environment as contaminants, it is appropriate to permit the use of monitoring data in setting MRLs for pesticides.
- (21) MRLs for pesticides should be continually monitored and should be changed to take account of new information and data. MRLs should be set at the lower level of analytical determination where authorised uses of plant protection products do not result in detectable levels of pesticide residues. Where uses of pesticides are not authorised at Community level, MRLs should be set at an appropriate low level to protect the consumer from the intake of unauthorised or excess levels of pesticides residues. That level is conventionally set at 0.01 mg/kg although in the exceptional cases where such a level does not guarantee consumer protection, lower levels should be **set**.
- (22) **Regulation** (EC) No 178/2002 establishes procedures for taking emergency measures in relation to food of Community origin or imported from a third country. Those procedures allow the Commission to adopt such measures in situations where food is likely to constitute a serious risk to human health, animal health or the environment and where such risk cannot be contained satisfactorily by measures taken by the Member State(s) concerned. It is appropriate that these measures and their effect on human and animal health are evaluated by the European Food Safety Authority without delay.

Tuesday 20 April 2004

- (23) The lifetime exposure, and where appropriate the acute exposure of consumers to pesticide residues via food products should be assessed and evaluated in accordance with Community procedures and practices, taking account of guidelines published by the World Health Organisation.
- (24) Through the World Trade Organization, the Community's trading partners should be consulted about the MRLs proposed, and their observations should be taken into account, before the MRLs are adopted. MRLs set at the international level by the Codex Alimentarius Commission should also be considered when Community MRLs are being set, **but only if the principles of integrated pest management are respected and climate conditions are taken into account.**
- (25) **For feed and food produced outside the Community, different agricultural practices as regards the use of plant protection products may be legally applied, resulting in pesticide residues differing from those resulting from uses legally applied in the Community. It is therefore appropriate that MRLs be fixed for imported products that take these uses and the resulting residues into account provided that the safety of the products can be demonstrated using the same criteria as for domestic produce.**
- (26) The European Food Safety Authority established by Regulation (EC) No 178/2002, has a key role to play in the assessment of risks to the consumer and should be involved in the scientific evaluation of applications to set MRLs and in the assessment of risks to consumers from pesticide residues. **Therefore, it is necessary to ensure that the Authority is granted sufficient resources to enable it to perform these tasks.**
- (27) **The European Food Safety Authority should take into account all scientific peer-reviewed literature on the toxicological effects of the plant protection product in question when evaluating the risk for consumers. Immunotoxicity, endocrine disruption, developmental toxicity and low-dose effects are among those that should be considered in particular.**
- (28) The Member States should lay down rules on penalties applicable to infringements of the provisions of this Regulation and ensure that they are implemented. Those penalties must be effective, proportionate and dissuasive.
- (29) The development of a Community harmonised system for MRLs entails the development of guidelines, databases and other activities with costs associated. It is appropriate for the Community in certain cases to make a contribution to those costs.
- (30) It is good administrative practice and is technically desirable to co-ordinate the timing of decisions on MRLs for active substances with decisions taken for those substances under Directive 91/414/EEC. For many substances for which Community MRLs have not yet been set, decisions are not due to be taken under that Directive before the date of entry into force of this Regulation.
- (31) It is therefore necessary to adopt separate rules providing for temporary but mandatory MRLs, with a view to setting MRLs progressively as decisions are taken on individual active substances in the framework of the evaluations under Directive 91/414/EEC.
- (32) 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⁾,
- (33) In accordance with the principal of proportionality, it is necessary and appropriate for the achievement of the basic objectives of facilitating trade whilst protecting the consumer to lay down rules on MRLs in products of plant and animal origin. This Regulation 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,

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Tuesday 20 April 2004

- (34) *To ensure that consumers are adequately informed, Member States will publish on the Internet all results of national monitoring of residues every three months, providing all individual data. Member States should look into the possibility of publishing the names of companies whose products contain higher pesticide residues than the maximum levels allowed,*

HAVE ADOPTED THIS REGULATION:

Article 1

Aims

The aim of this Regulation is to set harmonised maximum residue levels (MRLs) for pesticides in products of plant and animal origin in order to protect all European consumers against possible health effects. MRLs should therefore be set at the lowest reasonably achievable level with the aim of ensuring the best possible consumer protection.

CHAPTER I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 2

Subject matter

This Regulation shall apply to fresh, processed and composite plant and animal products or parts thereof listed in Annex I, intended for human consumption or animal feed on which pesticide residues may be present due to:

- (a) the use of plant protection products falling within the scope of Directive 91/414/EEC;
- (b) plant protection, **veterinary or biocide** products applied outside the Community; or
- (c) environmental contamination by substances formerly used as plant protection, **veterinary or biocide** products.

This Regulation shall be subject to the rules on food and feed provided for by Regulation (EC) No 178/2002.

Article 3

Scope

1. This Regulation shall apply without prejudice to Council Directive 2002/32/EC **and Council Regulation (EEC) No 2377/90**⁽¹⁾.
2. This Regulation shall not apply to the products referred to in Article 2 where it may be established by appropriate evidence that they are intended for:
 - (a) the manufacture of products other than food intended for human consumption or animal feed; or
 - (b) sowing or planting.

⁽¹⁾ Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ L 224, 18.8.1990, p. 1). Regulation as last amended by Commission Regulation (EC) No 546/2004 (OJ L 87, 25.3.2004, p. 13).

Tuesday 20 April 2004

3. MRLs for pesticides set in accordance with this Regulation shall not apply in the case of products referred to in Article 2 intended for export to third countries and treated before export, **but after harvest**, where it may be established by appropriate evidence that the third country of destination requires or agrees with that particular treatment in order to prevent the introduction of harmful organisms into its territory.

Article 4

Definitions

For the purpose of this Regulation, the definitions in Regulation (EC) No 178/2002 shall apply.

The following definitions shall also apply:

- 1) 'pesticide residues': means residues of plant protection products, **including metabolites and breakdown or reaction products of active substances** which are present in or on the products referred to in Article 2 of this Regulation, **including those** which may arise as a result of use in plant protection, in veterinary medicine and as a biocide;
- 2) 'Maximum Residue Level' (MRL): means the upper legal level of concentration for a pesticide residue, **based on the best available agricultural methods of crop protection, i.e. integrated pest management in a given climate zone, and the lowest consumer exposure necessary to protect all vulnerable consumers; if an MRL is exceeded**, measures are to be taken to withdraw a product from the market;
- 3) 'Limit of Quantification' (LOQ): means the lowest level achieved and reported by routine monitoring with validated methods in accredited laboratories as defined in Regulation (EC) No 882/2004;
- 4) 'good agricultural practice' (GAP): means the nationally recommended **agricultural practices based on integrated pest management, giving priority to alternative methods and practices of crop protection over the use of chemicals**;
- 5) 'import tolerance': means *an* MRL based on a Codex Alimentarius Commission MRL or on a GAP implemented in a third country for the legal use of an active substance in that third country **where the use of the active substance in a plant protection product on a commodity is not authorised in the Community for reasons other than public health**;
- 6) '**expertise assessment**': means a comparative **assessment** in which several laboratories perform analyses on identical samples, allowing an evaluation of the quality of the analysis by each laboratory;
- 7) 'acute reference dose': means the estimate of the amount of substance in food or drinking-water expressed on a body weight basis, that can be ingested over a short period of time, usually during one meal or one day, without appreciable health risk to the consumer on the basis of **the data produced by appropriate studies; taking into account the cumulative and synergistic effects of the different plant protection products, as well as the extra vulnerability of children and the unborn**;
- 8) 'acceptable daily intake': means the estimate of the amount of substance in food or drinking-water expressed on a body weight basis, that can be ingested daily over a *lifetime*, without appreciable health risk to **any** consumer on the basis of all known facts at the time of evaluation, **taking into account the cumulative and synergistic effects of the different plant protection products, as well as the extra vulnerability of children and the unborn**;
- 9) 'composite food stuffs': means food containing a mixture of ingredients.

Tuesday 20 April 2004

CHAPTER II

COMMUNITY PROCEDURE FOR APPLICATIONS FOR MRLs

SECTION 1

SUBMISSION OF APPLICATIONS FOR MRLs

Article 5

Applicants for MRLs

An application to set, modify or delete an MRL may be made by:

- (a) a Member State authorising the use of a plant protection, **veterinary or biocide** product on its territory;
- (b) **all parties with a legitimate interest in health and the environment, as well as commercially** interested parties, including manufacturers, growers, importers and producers of products referred to in Article 2;
- (c) any party identifying an appropriate and scientifically substantiated possible concern for human or animal health due to the intake of pesticide residues.

Article 6

Applications to be submitted to the European Food Safety Authority

1. **After completion of an evaluation report, the Member State shall forward the application, together with the evaluation report and the supporting dossier, to the Commission. The Commission shall without delay inform the Member States and forward the application, the evaluation report and the supporting dossier** to the European Food Safety Authority established by Regulation (EC) No 178/2002 (hereinafter referred to as 'the Authority').
2. The Authority shall acknowledge in writing receipt of the application to the applicant without delay. The acknowledgement shall state the date of receipt of the application.
3. The Authority shall notify the Commission of the application.

Article 7

Requirements relating to applications for MRLs

1. The application to set, modify or delete an MRL shall be accompanied by the following information:
 - (a) the name and address of the applicant;
 - (b) **A copy of the relevant national provisions applying to the specific use of that active substance including the GAP;**
 - (c) the application dossier including:
 - (i) a summary of the application;
 - (ii) the main substantive arguments;
 - (iii) an index of the documentation;
 - (d) **a complete overview of any concerns raised in the scientific literature about the plant protection product and/or its residue..**

Tuesday 20 April 2004

- (e) the data listed in Annexes II and III to Directive 91/414/EEC relating to data requirements for the setting of MRLs for pesticide residues, including, where appropriate, toxicological data as well as plant and animal metabolism data.

However, where an active substance has already been authorised for use in the Community under Directive 91/414/EEC or where a Codex Alimentarius Commission MRL exists, the Authority may consider that the applicant may be exempted from the submission of certain requirements for data, particularly as regards the toxicology. In such cases, the reasoned opinion of the Authority as referred to *Article 10* shall include a justification for any such waivers granted.

2. The Authority may, where appropriate, request the applicant to provide supplementary information in addition to information required under paragraph 1 within a time limit specified by the Authority which in no event shall exceed **two years**.

Article 8

Guidelines relating to submission of data

The data as referred to in *Article 7(1)(e)* shall comply with the guidelines set out in Annex VI.

The Authority shall regularly make proposals for updating those guidelines to take account of scientific and technical progress.

SECTION 2

CONSIDERATION OF APPLICATIONS CONCERNING MRLs BY THE AUTHORITY

Article 9

Receipt of application concerning MRLs by the Authority

Upon receipt of an application to set, modify or delete an MRL, the Authority shall:

- (a) verify that the application complies with *Article 7*;
- (b) inform the applicant, the Commission and the Member States where an application does not comply with *Article 7*;
- (c) make available to the Member States and the Commission a summary of each application, and, at the request of a Member State or the Commission, transmit the application dossier and any supplementary information supplied by the applicant.

Article 10

The Authority's opinion on applications concerning MRLs

1. The Authority shall give a reasoned opinion on applications complying with *Article 7*, on the setting, modification or deletion of an MRL. That opinion shall include:
 - (a) an assessment on whether the analytical method for routine monitoring proposed in the application is appropriate for the intended control purposes;
 - (b) the anticipated **LOQ** for the pesticide commodity combination;

Tuesday 20 April 2004

- (c) an assessment of the risks of the acceptable daily intake or acute reference dose being exceeded as a result of the modification of the MRL; the contribution to the total intake due to the residues on the commodity for which the MRLs was requested;
 - (d) ***an assessment of, in particular, the immunotoxicity, neurotoxicity, early developmental toxicity, low-dose toxicity, endocrine disruption and synergistic effects of the plant protection product or its residue.***
2. The Authority shall forward its reasoned opinion to the applicant, the Commission, and the Member States.
3. Without prejudice to Article 39 of Regulation (EC) No 178/2002, the Authority shall make its reasoned opinion public.

Article 11

Time limits for the Authority's opinion on applications concerning MRLs

1. The Authority shall give its reasoned opinion as provided for in Article 10(1) within the following time limits from the date of receipt of the application:
- (a) three months where the toxicology of the active substance has already been evaluated at Community level;
 - (b) twelve months where the toxicology of the active substance has not been evaluated at Community level.
2. Where the Authority requests supplementary information as provided for in Article 7(2), the time limits laid down in paragraph 1 are suspended until that information has been provided.

SECTION 3

SETTING, MODIFYING OR DELETION RELATED TO APPLICATIONS FOR MRLs

Article 12

Decisions on applications concerning MRLs

Upon receipt of a reasoned opinion of the Authority as provided for in Article 10(1), a reasoned decision shall be adopted **by the Commission** on the setting, modification or deletion of an MRL, in accordance with the procedure referred to in Article 51(2).

The decision shall take into account the opinion of the Authority.

The Commission may request at any time that supplementary information be provided by the applicant.

In deciding, account shall be taken of:

- (a) ***the scientific and technical knowledge available;***
- (b) ***the possible presence of pesticide residues arising from sources other than current plant protection uses of active substances;***
- (c) ***the results of an assessment of any potential risks to the consumer and, where appropriate, to animal health;***
- (d) ***the results of any evaluations and decisions to modify the uses of plant protection products;***

Tuesday 20 April 2004

- (e) *an MRL set by the Codex Alimentarius Commission for substances authorised for use in the European Union or a GAP implemented in a third country for the authorised use of an active substance in that third country;*
- (f) *other legitimate factors relevant to the matter under consideration.*

Article 13

Opinion of the Authority not required

Where amending Annexes II or III, in order to delete or to reduce to 0,01 mg/kg an MRL following the revocation of an existing authorisation for a plant protection product under Directive 91/414/EEC, an opinion of the Authority shall not be required.

CHAPTER III

MRLs APPLICABLE TO PRODUCTS OF PLANT AND ANIMAL ORIGIN AND ACTIVE SUBSTANCES

Article 14

Compliance with maximum residue levels

1. The products referred to in *Article 2* shall not contain, from the time they are placed on the market any pesticide residue exceeding:
 - (a) the MRLs for those products set out in Annexes II and III;
 - (b) 0,01 mg/kg for active substances not listed in Annex IV for those products for which no specific MRL is set out in Annexes II or III;
2. Member States may not prohibit or impede the placing on the market within their territories of the products referred to in *Article 2* on the grounds that they contain pesticide residues provided that:
 - (a) the **pesticide residue level or content** does not exceed the appropriate MRLs set out in Annexes II or III; or
 - (b) the active substance is listed in Annex IV.

Article 15

Prohibited uses of processed and composite products

In the case of processed and composite products as referred to in *Article 2*, the following shall be prohibited:

- (a) to dilute products not complying with the MRLs set out in Annexes II or III so as to reduce the pesticide residue levels below those MRLs;
- (b) to mix products which are to be subjected to a sorting technique or physical treatment with products intended for direct human consumption or as an ingredient in food or feed;
- (c) to use products not complying with the MRLs set out in Annexes II or III as ingredients in the manufacture of other food or feed;
- (d) to detoxify those products by chemical treatments.

Tuesday 20 April 2004

Article 16

MRLs applicable to dried and other processed products

1. Where MRLs are not set out in Annexes II or III for dried and other processed products referred to in *Article 2*, the MRLs applicable shall be those set out in Annexes II or III for the appropriate commodity referred to in Annex I, taking into account:

- (a) changes in the levels of pesticide residues caused by the drying process; or
- (b) changes in the levels of pesticide residues caused by processing.

2. Specific concentration or dilution factors for certain drying or other processing operations or for certain dried or otherwise processed products may be included in the list in Annex V in accordance with the procedure referred to in *Article 51(2)*.

Article 17

MRLs applicable to composite food and feed

The MRL to be applied to composite food and feed shall correspond to the MRLs of their ingredients as set out in Annexes II or III taking into account the relative concentrations of the ingredients in their composition and the provisions of *Articles 14, 15 and 16*.

*Article 18****Aggregate limit values***

In accordance with the procedure referred to in Article 51(2), and in accordance with the criteria set out in Article 20, aggregate limit values shall be laid down for the presence of multiple pesticide residues in food- and feedstuffs. Where the aggregate limit values are exceeded, Articles 14, 15 and 16 shall apply as appropriate.

CHAPTER IV

ESTABLISHING LISTS OF COMMODITIES, MRLs
AND ACTIVE SUBSTANCES

SECTION 1

PROCEDURE FOR THE ESTABLISHMENT OF LISTS OF GROUPS OF COMMODITIES,
MRLs, ACTIVE SUBSTANCES AND ASSESSMENT OF MRLs*Article 19*

Establishment of lists of groups of commodities of plant and animal origin

Lists of groups of commodities of plant and animal origin with examples of products in those groups and the parts of those products to which MRLs apply, to be set out in Annex I shall be established in accordance with the procedure referred to in *Article 51(2)*. Those lists shall include animal feed as referred to in *Article 2*. Annex I shall include all commodities for which MRLs are explicitly set, grouped in such a way that MRLs may be set for a group of similar or related commodities.

Tuesday 20 April 2004

Article 20

Establishment of lists of MRLs

The lists of MRLs for products of plant and animal origin to be set out in Annex II shall be established in accordance with the procedure referred to in *Article 51(2)*, taking into account:

- (a) the scientific and technical knowledge available, **including an overview of the last ten years of scientific peer-reviewed open literature on the given plant protection product and its residues**;
- (b) the possible presence of pesticide residues arising from other uses of active substances, **and their know cumulative and synergistic effects**;
- (c) the results of an assessment of any potential risks to **consumers with the highest intake (including exposure to sources other than food) and highest vulnerability** and, where appropriate, to animal health;
- (d) the results of any evaluations undertaken in accordance with Directive 91/414/EEC;
- (e) modifications to the uses of products containing active substances that have arisen as a result of decisions under Directive 91/414/EEC;
- (f) the following MRLs:
 - (i) MRLs provided for under Directives 86/362/EEC, 86/363/EEC and 90/642/EEC;
 - (ii) MRLs set by the Codex Alimentarius **for active substances whose use is accepted in the EU**;
 - (iii) Maximum residues limits (MRLs) listed in annexes I, II and III of Regulation (EEC) No 2377/90.

Annex II shall be established within 12 months of the entry into force of this Regulation.

Article 21

Establishment of a list of temporary MRLs

The lists of temporary MRLs for active substances for which a decision on inclusion or non-inclusion in Annex I to Directive 91/414/EEC has not yet been taken, shall be established in accordance with the procedure referred to in *Article 51(2)*, taking into account the information provided by the Member States and the matters referred to in points (a)(b) and (c) of *Article 20*.

Such temporary MRLs shall include:

- (a) remaining MRLs in the Annex to Directive 76/895/EEC;
- (b) hitherto unharmonised national MRLs, as referred to in *Article 26*; and
- (c) MRLs set according to the simplified procedure referred to in *Article 28*, to be set out in Annex III.

Annex III shall be established within 12 months of the entry into force of this Regulation, in accordance with the provisions laid down in Articles 26, 27 and 28.

Tuesday 20 April 2004

Article 22

Establishment of a list of active substances for which no MRLs are required

The list of active substances of plant protection products, evaluated under Directive 91/414/EEC and for which it is agreed by the Committee referred to in *Article 51(1)* that MRLs are not required, to be set out in Annex IV shall be established in accordance with the procedure referred to in *Article 51(2)*, taking into account the uses of those active substances and the matters referred to in points (a) and (c) of *Article 20*.

Annex IV shall be established within 12 months of the entry into force of this Regulation.

Article 23

Assessment of existing MRLs by the Authority

The Authority shall, within a period of 12 months from the date of the inclusion or non-inclusion of an active substance in Annex I to Directive 91/414/EEC, submit a reasoned opinion to the Commission and the Member States on that active substance and on:

- (a) existing MRLs for that active substance set out in Annex II or III to this Regulation;
- (b) the necessity of setting new MRLs for that active substance;
- (c) specific drying and processing factors for that active substance that may be included in Annex V;
- (d) MRLs which the Commission may consider including in Annex II and on those MRLs which may be deleted or reduced to 0,01 mg/kg, related to that active substance.

SECTION 2

MRLs AND APPLICATIONS
FOR AUTHORISATION OF PLANT PRODUCTION
PRODUCTS UNDER DIRECTIVE 91/414/EEC

Article 24

MRLs corresponding to applications for authorisation and provisional authorisation
of plant protection products under Directive 91/414/EEC

Where a Member State, in accordance with Directive 91/414/EEC, receives an application to grant an authorisation or a provisional authorisation for the use of a plant protection product, the Member State shall consider whether as a result of such use, an existing MRL set out in Annex II or III to this Regulation needs to be modified or whether it is necessary to set a new MRL.

Where a Member State considers that the setting, modification or deletion of an MRL is necessary, that Member State shall submit an application for setting, modifying or deleting the MRL under Chapter II of this Regulation.

Tuesday 20 April 2004

Article 25

Inclusion of new or modified MRLs in Annexes II and III

1. Where a new or modified MRL is set following an application by a Member State as provided for in Article 24, the new or modified MRL shall be listed:
 - (a) in Annex II to this Regulation where the substance has been included in Annex I to Directive 91/414/EEC; or
 - (b) in other cases, as a temporary MRL, in Annex III to this Regulation.
2. Where a temporary MRL is included in Annex III to this Regulation as provided for in paragraph 1(b), it shall not be maintained in that Annex for a period exceeding one year from the date of the inclusion or non-inclusion in Annex I to Directive 91/414/EEC of the active substance concerned.

SECTION 3

SETTING TEMPORARY MRLs

Article 26

Information to be provided by the Member States on national MRLs

Where for an active substance of a plant protection product, not yet included in Annex I to Directive 91/414/EEC:

- (a) an MRL is not set out in Annex II to this Regulation for a certain commodity set out in Annex I to this Regulation and
- (b) a Member State has set, by 30 June 2004 at the latest, a national MRL for an active substance on the commodity referred to in (a), based on the use of a plant protection product on its territory

the Member State concerned as referred to under (b) shall notify the Commission and the Authority, in a format and by a date to be established in accordance with the procedure referred to in Article 51(2) of the following:

- (c) the national MRL referred to under (b);
- (d) the GAP;
- (e) data on supervised trials;
- (f) the acceptable daily intake and, if relevant, the acute reference dose used for the national risk assessment, as well as the outcome of the assessment.

Article 27

Opinion of the Authority on data underlying national MRLs

1. The Authority shall compile lists of the national MRLs notified in accordance with Article 26 and use them as a basis to provide a reasoned opinion to the Commission on:
 - (a) a list of temporary MRLs that may be included in Annex III;
 - (b) a list of active substances that may be included in Annex IV.

Tuesday 20 April 2004

2. In preparing the opinion referred to in paragraph 1, the Authority shall take into account:
- (a) the following MRLs:
 - (i) MRLs set out in Annex II to Directive 76/895/EEC;
 - (ii) national MRLs set by Member States by 30 June 2004 at the latest, as referred to in Article 26;
 - (iii) MRLs adopted by the Codex Alimentarius Commission;
 - (b) MRLs listed in Annexes I, II and III of Regulation (EEC) No 2377/90;
 - (c) the scientific and technical knowledge available, and in particular data submitted by the Member States on:
 - (i) the toxicological assessment, including potential excess of the acceptable daily intake and, if applicable, of the acute reference dose;
 - (ii) the GAP;
 - (iii) the data on supervised trials used by Member States to establish the national MRL.

Article 28

Setting of temporary MRLs

Taking into account the opinion of the Authority, and in accordance with the procedure referred to in Article 51(2), temporary MRLs for the active substances referred to in Article 26 may be included in Annex III, or, as appropriate the active substance may be included in Annex IV. **Temporary MRLs shall be set at the lowest level that can be achieved in all Member States on the basis of good agricultural practice and respecting the principles of integrated pest management.**

Article 29

Simplified procedure for setting temporary MRLs in certain circumstances

1. Temporary MRLs may be included in Annex III in accordance with the procedure referred to in Article 51(2) in the following circumstances:
- (a) in exceptional cases, in particular where pesticide residues may arise as a result of environmental or other contamination;
 - (b) where the products concerned constitute a very minor component of the diet of European consumers **and where they do not constitute a major part of the diets of any subgroup**
 - (c) where the products concerned constitute a minor component of international trade, or
 - (d) **where essential uses of plant protection products have been identified by a Decision not to include or to delete an active substance in Annex I to Directive 91/414/EEC.**
2. The inclusion of temporary MRLs as referred to in paragraph 1, shall take into account the opinion of the Authority, monitoring data and an assessment demonstrating that there are no unacceptable risks to consumers or animals.

The continued validity of those temporary MRLs shall be re-assessed at least once every 10 years and any such MRLs shall be modified or deleted from Annex III as appropriate.

Tuesday 20 April 2004

SECTION 4

HONEY

Article 30

Setting MRLs for pesticide residues in honey *and other non-typical foodstuffs, e.g. herbal infusions*

1. MRLs may be set for pesticide residues in honey, as defined in Annex I of Council Directive 2001/110/EC⁽¹⁾, and included in Annex III of this Regulation on the basis of monitoring data and taking into account a reasoned opinion of the Authority, in accordance with the procedure referred to in Article 51(2).
2. ***MRLs may be set for pesticide residues in herbal infusions as a composite product and included in Annex III of this Regulation on the basis of monitoring data, if appropriate, and taking into account a reasoned opinion of the Authority, in accordance with the procedure referred to in Article 51(2).***
3. The continued validity of those MRLs ***set in accordance with paragraphs 1 and 2*** shall be re-assessed at least once every 10 years and any such MRLs shall be modified or deleted from Annex III, as appropriate.

SECTION 5

IMPORT TOLERANCES

Article 31

Setting import tolerances

Applications for import tolerances may be made by the Member States or the parties referred to in points (b) and (c) of Article 5 and shall be made in accordance with the provisions of Chapter II.

SECTION 6

INFORMATION TO BE SUBMITTED BY MEMBER STATES AND DATABASE

Article 32

Information to be submitted by the Member States

Member States shall submit to the Authority details of the GAPs and any dietary intake information necessary for the assessment of the safety of an MRL.

Article 33

Database of the Authority on MRLs

Without prejudice to the applicable provisions of Community and national law on access to documents, the Authority shall develop and maintain a database, accessible to the Commission and to the competent authorities of the Member States, containing the relevant scientific information and GAPs relating to the MRLs, the active substances and the processing factors set out in Annexes II, III, IV and V. In particular it shall contain dietary intake assessments, processing factors and toxicological endpoints.

⁽¹⁾ Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).

Tuesday 20 April 2004

CHAPTER V

OFFICIAL CONTROLS, MONITORING, FEES,
REPORTS AND PENALTIES

SECTION 1

OFFICIAL CONTROLS AND MONITORING OF MRLs
AND ACTIVE SUBSTANCES

Article 34

Official controls, monitoring and fees

1. **Without prejudice to Directive 96/23/EC⁽¹⁾**, Member States shall carry out official controls on pesticide residues in order to enforce compliance with this Regulation, in accordance with the relevant provisions of **Community law relating to the official controls for food and feed**.

The official controls on pesticide residues shall consist of sampling at the point of supply and subsequent chemical analysis of the samples and identification of the pesticides in the samples. The point chosen should allow for potential enforcement action.

2. Member States shall carry out monitoring on pesticide residues **at all stages in the distribution chain, at customs, distribution centres and** in particular, at the point of supply to the consumer. Such monitoring shall be in addition to any similar monitoring required under Directive 96/23/EC.

3. Member States shall establish fees to cover the costs of the official controls referred to in paragraph 1 in accordance with the principles established under Regulation (EC) No 882/2004.

Article 35

Sampling

1. Each Member State shall take samples in a sufficient number and across a range of products and geographical areas to assure that the results are representative of their market, reflecting as appropriate, the respective contributions of national, Community and third country produce to its market.

2. The sampling methods necessary for carrying out such monitoring of products, other than those provided for in Directive 2002/63/EC⁽²⁾, shall be determined in accordance with the procedure referred to in Article 51(2).

Article 36

Methods of Analysis

1. Detailed rules on methods of analysis for pesticide residues including specific validation criteria and quality control procedures may be adopted and set out in Annex VII in accordance with the procedure referred to in Article 51(2).

⁽¹⁾ Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC (OJ L 125, 23.5.1996, p. 10). Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC (OJ L 187, 16.7.2002, p. 30).

Tuesday 20 April 2004

2. The methods of analysis of pesticide residues shall comply with the criteria set out in Annex II to Regulation (EC) No 882/2004. **Authorisation of pesticides for which there is no appropriate detection procedure or which are not regularly monitored shall be discontinued.**

3. All laboratories analysing samples for the official **controls on** pesticide residues shall participate in the Community Proficiency Test **for pesticide residues as referred to in Article 45(b) and organised by the Commission.**

SECTION 2

NATIONAL CONTROL AND MONITORING PROGRAMMES

Article 37

The obligations of Member States relating to national control and monitoring programmes for pesticide residues

1. Member States shall establish annually national control and monitoring programmes for pesticide residues for the following calendar year.

Those annual national control and monitoring programmes shall comply with Article 43 of Regulation (EC) No 882/2004 on multi-annual control plans for pesticide residues.

Those programmes shall specify at least the following:

- (a) the products to be sampled;
- (b) the number of samples to be taken and analyses to be carried out;
- (c) the pesticide residues to be analysed;
- (d) the criteria applied in drawing up such programmes, including:
 - (i) the pesticide-product combinations to be selected;
 - (ii) the number of samples to be taken in relation to the domestic *production*;
 - (iii) *consumption* of the products;
 - (iv) the Community Control Programme; and**
 - (v) the results of previous control programmes.**

2. Member States shall submit their annual national control and monitoring programmes for pesticide residues, to the Commission and to the Authority by 31 December each year.

3. Member States shall participate in the Community Monitoring Programme as provided for in Article 38.

4. Member States shall, on a quarterly basis, publish all results of national residue monitoring on the Internet, providing all individual data. Where MRLs are exceeded, Member States may name the retailers, traders or producers concerned.

SECTION 3

COMMUNITY MONITORING PROGRAMME

Article 38

Community Monitoring Programme

1. The Commission and the Authority shall prepare a co-ordinated Community monitoring programme, identifying specific samples to be included in the national control and monitoring programmes, and taking into account problems that have been identified regarding compliance with the MRLs set out in this Regulation.

Tuesday 20 April 2004

2. The Authority shall submit to the Commission by 1 May each year, an opinion concerning the co-ordinated Community monitoring programme for the following calendar year, including its opinion on the specific samples which shall be included in the national control and monitoring programmes.

3. The Community monitoring programme shall be adopted in accordance with the procedure referred to in *Article 51(2)*, and shall be presented to the Committee referred to in *Article 51(1)*, by 1 July each year for the following calendar year.

SECTION 4

INFORMATION BY THE MEMBER STATES AND COMMUNITY ANNUAL REPORT

Article 39

Information by the Member States

In addition to the information to be submitted by the Member States to the Authority and the Commission in the annual reports provided for in *Article 44* of Regulation (EC) No 882/2004, Member States shall submit the following information to the Commission, the Authority and the other Member States by 31 December each year:

- (a) the results of the official controls and monitoring as provided for in *Article 34(1)* and (2);
- (b) the results of the analyses of the samples taken during the current year for pesticide residues in products of plant origin under their national control and monitoring programmes as referred to in *Article 37* and under the Community monitoring programme as referred to in *Article 38*;
- (c) the **LOQs** applied in the national control and monitoring programme as referred to in *Article 37* and under the Community monitoring programme as referred to in *Article 38*;
- (d) details of the participation of the analytical laboratories in the Community proficiency tests and other proficiency tests relevant to the pesticide-product combinations sampled in the national control and monitoring programme;
- (e) details of the accreditation of the analytical laboratories as provided for in Regulation (EC) No 882/2004.

Article 40

Format for the submission of information to the Authority

1. The Authority may designate a format for the submission of information to be submitted by the Member States as provided for in *Article 39*.
2. The Authority shall collate and combine the information referred to in *Article 39*.

Article 41

The Community Annual Report

1. The Authority shall complete a Community Annual Report.
2. The Authority shall include information on the following in the Community Annual Report:
 - (a) an analysis of any possible significance of discrepancies in the results of the monitoring provided for in *Article 34(2)*;
 - (b) a report to the Commission on the MRLs that were exceeded, together with any appropriate observations regarding the need to modify such MRLs, in relation to the underlying GAPs;

Tuesday 20 April 2004

- (c) a report on any acute or chronic risks to the health of consumers;
 - (d) ***an assessment of consumer exposure to pesticide residues based on the information provided under point (a) and any other relevant available information, including reports submitted under Directive 96/23/EEC.***
3. Where a Member State has not provided complete information by 31 December in accordance with Article 39, the Authority may disregard the information from that Member State when compiling the Community Annual Report.
4. The Authority shall submit the Community Annual Report to the Commission by 30 April of the following year.
5. The Commission may designate a format for the submission of the Community Annual Report by the Authority.
6. The Authority shall publish the Community Annual Report.

Article 42

Submission of the Community Annual Report to the Committee

The Commission shall submit the Community Annual Report to the Committee referred to in Article 51(1) before 31 January each year, for review and recommendations on any necessary measures to be taken regarding reported possible infringements of the MRLs set out in Annexes II and III.

SECTION 5

PENALTIES

Article 43

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 and any subsequent amendment to the Commission without delay.

CHAPTER VI

EMERGENCY MEASURES

Article 44

Emergency measures and opinion by the Authority

1. Articles 53 and 54 of Regulation (EC) 178/2002 shall apply where as a result of new information or of a reassessment of existing information, pesticide residues or MRLs covered by this Regulation may endanger human or animal health requiring immediate action.
2. The Commission shall notify without delay the Authority of any emergency measures taken.
3. The Authority shall complete a full assessment of the risks and shall provide its opinion to the Commission on those risks within 15 days of the date of notification by the Commission, ***except in the case of fresh produce, where the Authority shall provide its opinion to the Commission within 7 days.***

Tuesday 20 April 2004

CHAPTER VII

COMMUNITY HARMONISED SYSTEM ON MRLs

Article 45

Harmonised system on MRLs for pesticide residues

A harmonised system for MRLs in the field of pesticide residues shall be established at Community level, including:

- (a) a database for Community legislation on MRLs of pesticide residues and for making such information publicly available;
- (b) Community proficiency tests as referred to in *Articles 36(3) and 39(d)*;
- (c) studies necessary for the preparation of legislation on pesticide residues;
- (d) studies necessary for the estimation of the exposure of consumers and animals to pesticides residues.

Article 46

Community contribution to the harmonised system on MRLs for pesticide residues

The Community may make a financial contribution up to 100 % of the cost of the harmonised system as provided for in *Article 45*.

The appropriations for that system shall be decided each year as part of the budgetary procedure.

CHAPTER VIII

CO-ORDINATION OF APPLICATIONS FOR MRLs

Article 47

Designation of national authorities

Each Member State shall designate an authority to co-ordinate co-operation with the Commission, the Authority, other Member States, manufacturers, producers, and growers for the purposes of this Regulation.

Each Member State shall inform the Commission and the Authority of the name and address of the designated authority.

Article 48

Co-ordination by the Authority of applications for MRLs

The Authority shall:

- (a) co-ordinate with the rapporteur Member State designated in accordance with Directive 91/414/EEC for an active substance;
- (b) co-ordinate with applicants referred to in *Article 5* and the Member States and the Commission regarding applications on MRLs and import tolerances covered by this Regulation;
- (c) ensure all necessary contacts with interested parties as referred to in *Article 5(b)*;
- (d) complete the scientific evaluations of dossiers and applications for the inclusion of MRLs in the lists in Annexes II and III.

Tuesday 20 April 2004

Article 49

Rapporteur Member State and fees for applications for MRLs

1. Member States may **recover the costs of work associated with setting, modifying or deleting MRLs or import tolerances, or with any other work arising from obligations under this Regulation, by means of a fee or charge.**
2. The rapporteur Member States shall ensure that the fee referred to in paragraph 1:
 - (a) is established in a transparent manner;
 - (b) corresponds to the real cost of the examination and administrative treatment of the applications;
 - (c) is received by the designated authority in the Rapporteur Member State as provided for in Article 47;
 - (d) is used to finance exclusively the costs actually incurred for the evaluation and administrative treatment of the **application**.
3. **Member States may wish to impose a general charge upon the pesticides industry. In this case the charge should be established in a transparent manner, with documentation detailing the costs schedule provided by the relevant agency within the Member State.**

CHAPTER IX

IMPLEMENTATION

Article 50

Scientific opinion of the Authority

The Commission may consult the Authority for a scientific opinion on any measure related to the assessment of risks in the framework of the implementation of this Regulation. The Commission may specify the time limit within which such an opinion shall be provided.

Article 51

Committee Procedure

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, instituted 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 three months.

Article 52

Implementing measures

In accordance with the procedure referred to in Article 51(2) the following shall be established or may be amended:

- (a) implementing measures to ensure the uniform application of this Regulation;
- (b) the dates in Article 26(1)(b), Article 27(2)(a)(ii), Article 37(2), Article 38(2) and (3), Article 39, Article 41(3) and Article 42;
- (c) Annexes I to VII, as a result of developments in scientific or technical knowledge;
- (d) technical guidance documents to assist in the application of this Regulation;

Tuesday 20 April 2004

- (e) methods for analysis and assessment;
- (f) quality control procedures;
- (g) detailed rules concerning the scientific data required for the setting of MRLs; the opinion of the Authority shall be taken into account when adopting such rules.

Article 53

Report on implementation of this Regulation

Not later than 10 years after the entry into force of this Regulation, the Commission shall forward to the European Parliament and to the Council a report on its implementation and any appropriate proposals.

CHAPTER X

FINAL PROVISIONS

Article 54

Repeal

Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC are repealed with effect from 1 January 2005.

References to the repealed Directives shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VIII.

Article 55

Transitional Measures

Where it is necessary in order to allow for the normal marketing, processing and consumption of the harvested products, taking their normal shelf life into account, in order to safeguard legitimate expectations, transitional measures may be laid down for the implementation of certain MRLs provided for in Articles 20, 21, 25, 28, 29, 30 and 31.

Those measures which shall be without prejudice to the obligation to ensure a high level of consumer protection shall be adopted in accordance with the procedure referred to in Article 51(2).

Article 56

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*

Chapters II, III, V and VI shall apply as from six months from the date of establishment of Annexes I, II, III and V.

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

Tuesday 20 April 2004

ANNEXES

(I-VII to be established by comitology procedure)

- ANNEX I: Groups of commodities of plant and animal origin with examples of products in those groups and the parts of those products to which MRLs apply — including animal feedstuffs as referred to in *Article 2*. This annex comprises the existing commodities listed in the annexes to the original four directives but also includes **the new commodities of honey and herbal infusions**.
- ANNEX II: MRLs for products of plant and animal origin, (in the first instance transferred) from the Annexes of 86/362/EEC, 86/363/EEC and 90/642/EEC as referred to in *Article 20*
- ANNEX III: Temporary MRLs for active substances for which a decision on inclusion in or exclusion from Annex I to Directive 91/414/EEC has not yet been taken, including remaining MRLs in the Annex to Directive 76/895/EEC as well as hitherto unharmonised national MRLs, as referred to in *Article 26* and MRLs set according to the simplified procedure referred to in *Article 29*.
- ANNEX V: List of active substances of plant protection products, evaluated under Directive 91/414/EEC and for which it is agreed by the Standing Committee that MRLs are not required (as referred to in *Article 22*).
- ANNEX V: Specific concentration and dilution factors fixed after an evaluation as part of the 91/414/EEC dossier or developed after a 91/414/EEC decision has been adopted by the Commission (as referred to in *Article 15*).
- ANNEX VI: Guidelines for the generation of data concerning residues as provided in Annex II part A, section 6 and Annex III, part A, section 8 of Directive 91/414/EEC concerning the placing of plant protection products on the market
- ANNEX VII: Analytical methods, quality control procedures (as referred to in *Article 37*).
- ANNEX VIII: Correlation Table

This Regulation	Directive 76/895/EEC	Directive 86/362/EEC	Directive 86/363/EEC	Directive 90/642/EEC
<i>Article 2</i>	Article 1(2)	Article 1(1)	Article 1(1)	Article 1(1)
<i>Article 3(2)</i>	Article 9(2)	Article 1(4)	Article 1(4)	Article 1(4)
<i>Article 3(3)</i>	Article 9(1)	Article 1(3)	Article 1(3)	Article 1(3)
<i>Article 4</i>	Article 2	Article 2	Article 2	Article 2
<i>Article 5</i>				
<i>Article 6</i>				
<i>Article 7</i>				
<i>Article 8</i>				
<i>Article 9</i>				
<i>Article 10</i>				
<i>Article 11</i>				
<i>Article 12</i>				
<i>Article 13</i>				

Tuesday 20 April 2004

This Regulation	Directive 76/895/EEC	Directive 86/362/EEC	Directive 86/363/EEC	Directive 90/642/EEC
Article 14(1)		Article 4(1)	Article 4(1)	Article 3(1)
Article 14(2)(a)	Article 3(1)	Article 3(2)	Article 3(2)	Article 5
Article 14(2)(b)		Article 3(1)	Article 3(1)	Article 3(1)
Article 15				
Article 16		Article 4(2)	Article 4 (2)	Article 3(2)
Article 17		Article 4(3)	Article 4(3)	Article 3(3)
Article 18				
Article 19				
Article 20				
Article 21				
Article 22				
Article 23				
Article 24				
Article 26(2)	Article 5	Article 10	Article 10	Article 7
Article 27				
Article 28				
Article 29				
Article 30				
Article 31				
Article 32				
Article 33				
Article 34(1)	Article 6(1)	Article 4(4)	Article 4(4)	Article 3(4)
Article 35(2)	Article 6(2)	Article 8(1)	Article 8(1)	Article 6(1)
Article 36(1)				Article 6(1)
Article 36(2)	Article 6(2)	Article 8(1)	Article 8(1)	Article 6(2)
Article 37(1)		Article 7(1)		Article 4(1)
Article 37(2)		Article 7(2a)		Article 4(2a)
Article 38(1)		Article 7(2b)		Article 4(2b)
Article 39		Article 7(3)	Article 7(1)	Article 4(3)
Article 40		Article 7(3)	Article 7(2)	Article 4(3)

Tuesday 20 April 2004

This Regulation	Directive 76/895/EEC	Directive 86/362/EEC	Directive 86/363/EEC	Directive 90/642/EEC
Article 41(2)(b)		Article 7(3)		Article 4(3)
Article 41(6)		Article 7(3)		Article 4(3)
Article 42		Article 7(5)		Article 4(5)
Article 43		Article 7(3)		Article 4(3)
Article 44(1)	Article 3(2) Article 4(1)	Article 9(1)	Article 9(1)	Article 8
Article 45				
Article 46				
Article 47				
Article 48				Article 7
Article 49				
Article 50				
Article 51	Article 7 Article 8	Article 9(2)(3) Article 11 Article 12 Article 13	Article 9(2) Article 11 Article 12 Article 13	Article 8(2)(3) Article 9 Article 10
Article 52				
Article 53				
Article 54				
Article 55				

P5_TA(2004)0300

Security of natural gas supply ***I

European Parliament legislative resolution on amendment of the legal basis and on the 'general orientation' of the Council with a view to adoption of a directive of the European Parliament and of the Council concerning measures to safeguard security of natural gas supply (15769/2003 – C5-0027/2004 – 2002/0220(COD))

(Codecision procedure: first reading – renewed consultation)

The European Parliament,

- having regard to the proposal to amend the legal basis and to the 'general orientation' agreed by the Council on 8 December 2003 (15769/2003 – C5-0027/2004)⁽¹⁾,
- having regard to its position at first reading⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2002) 488)⁽³⁾,

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ Texts Adopted, 23.9.2003, P5_TA(2003)0397.

⁽³⁾ OJ C 331 E, 31.12.2002, p. 262.

Tuesday 20 April 2004

- having regard to Article 251(2) of the EC Treaty,
 - having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the legal basis,
 - having regard to Rules 67 and 71(2) of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0213/2004),
1. Welcomes the fact that, as regards the substance, the Council has abided by Parliament's proposals;
 2. Approves amendment of the legal basis;
 3. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 4. Calls on the Council to refer to Parliament's recommendations in the preamble;
 5. Instructs its President to forward its position to the Council and Commission.
-

P5_TA(2004)0301**Access to gas transmission networks ***I**

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on conditions for access to the gas transmission networks (COM(2003) 741 – C5-0644/2003 – 2003/0302(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 741) ⁽¹⁾,
 - having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0644/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0254/2004),
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.

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

P5_TC1-COD(2003)0302

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 on conditions for access to the gas transmission networks

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⁾,

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 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC ⁽⁵⁾ has made a significant contribution towards the creation of an internal market for gas. It is now necessary to provide structural changes in the regulatory framework to tackle remaining barriers to the completion of the internal market, **in particular regarding the trade of gas across borders and between transmission systems**. Additional technical rules are necessary, in particular regarding tariff principles, transparency, congestion management and balancing.
- (2) **The creation of a real internal gas market should be promoted through an increase in the number of market participants that are able to transport gas across borders, leading to an intensification of competition throughout the European Community.**
- (3) Experience gained in the implementation and monitoring of a first set of Guidelines for Good Practice, adopted by the European Gas Regulatory Forum in 2002 demonstrates that in order to ensure the full implementation of these rules in all Member States, and to provide a minimum guarantee for equal market access in practice, it is necessary to provide that they become legally enforceable.
- (4) A second set of common rules, 'the Second Guidelines for Good Practice' has been adopted at the meeting of the Forum on 24-25 September 2003. This Regulation should, therefore lay down, on the basis of those Guidelines basic principles and rules regarding network access and third party access services, congestion management, transparency, balancing and the trading of capacity rights.
- (5) **In preparing guidelines pursuant to Article 9, prior to their formal presentation by the Commission it is important to ensure full consultation and collaboration with all relevant industrial bodies. The European Gas Regulatory Forum and the European Regulators Group are appropriate to ensure such consultation.**
- (6) It is necessary to specify the criteria according to which charges for access to the network are determined, to ensure that they fully comply with the principle of non-discrimination and the needs of a well-functioning internal market and take fully into account the need for system integrity and reflect effectively incurred costs.

⁽¹⁾ OJ C [...], [...], p. [...].

⁽²⁾ OJ C [...], [...], p. [...].

⁽³⁾ OJ C [...], [...], p. [...].

⁽⁴⁾ Position of the European Parliament of 20 April 2004.

⁽⁵⁾ OJ L 176, 15.7.2003, p. 57.

Tuesday 20 April 2004

- (7) A common minimum set of third party access services — regarding notably for example the duration of transportation contracts offered and on a interruptible basis — is necessary to provide a common minimum standard of access in practice throughout the European Community and **to ensure that third party access services are sufficiently compatible so as not to impede cross-border trade and to allow the benefits** accruing from a well-functioning internal market for gas *to be exploited*.
- (8) The management of contractual congestion of networks **in particular at cross-border points and other interconnections between transmission networks** is an important issue in completing the internal gas market. It is necessary to develop common rules that balance the need to free up unused capacity in accordance with the 'use-it-or-lose-it' principle with the rights of the holders of the capacity to use it when necessary, while at the same time enhancing liquidity of capacity.
- (9) Although physical congestion of networks is rarely a problem at present in the Community, it may become one in the future. It is important therefore to provide the basic principle for the allocation of congested capacity in such circumstances.
- (10) For network users to gain effective access to gas networks they need information in particular on technical requirements and available capacity to enable them exploiting business opportunities coming up in the framework of the internal market. Common minimum standards on such transparency requirements are necessary.
- (11) Non-discriminatory and transparent balancing systems for gas, operated by transmission system operators, are important mechanisms, particularly for new market entrants which may have more difficulty balancing their overall sales portfolio than companies already established within a relevant market. It is therefore necessary, to lay down rules ensuring that transmission system operators operate such mechanisms in a manner compatible with non-discriminatory, transparent and effective access conditions to the network.
- (12) The trading of primary rights to capacity is an important part of developing a competitive market and creating liquidity. This Regulation should therefore lay down basic rules on that issue.
- (13) National regulatory authorities should ensure compliance with the rules contained in this Regulation and the guidelines adopted pursuant to it.
- (14) In the guidelines annexed to the Regulation, specific detailed rules implementing these principles are defined, on the basis of the second Guidelines for Good Practice. These rules will need to evolve over time, and be implemented by further rules on issues such as the alleviation of contractual congestion. Thus, the Regulation needs to provide for the adoption of such new rules in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers assigned to the Commission⁽¹⁾.
- (15) The Member States and the competent national authorities should be required to provide relevant information to the Commission. Such information should be treated confidentially by the Commission. Where necessary, the Commission should have an opportunity to request relevant information directly from undertakings concerned, provided that the competent national authorities are informed.
- (16) This Regulation and the guidelines adopted in accordance with this Regulation shall be without prejudice of the application of the Community competition rules.
- (17) Since the objective of the proposed action, namely the setting of fair rules for access conditions to natural gas transmission systems, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve this objective,

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Tuesday 20 April 2004

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation aims at setting fair rules for access conditions to natural gas transmission systems **to enable third party network users to move their gas from one transmission system to any other physically connected gas transmission system in the European Community, thus enhancing competition within the internal gas market.** This shall involve principles for charges for access to the network, the definition of necessary services, harmonised principles for capacity allocation and congestion management, the determination of transparency requirements balancing and imbalance charges, and the need to facilitate secondary markets for capacity trading. **This Regulation shall apply to transmission systems for which regulated third party access is required under Directive 2003/55/EC.**

Article 2

Definitions

1. For the purpose of this Regulation and of guidelines to be adopted pursuant to this Regulation, the following definitions shall apply:

- 1) 'transmission' shall mean the transport of natural gas through a high pressure network or a regional pipeline network, which mainly contains high pressure pipelines, other than an upstream pipeline network with a view to its delivery to customers, but not including supply;
- 2) 'transportation contract' means a contract which the transmission system operator has concluded with a network user with a view to carrying out transmission;
- 3) 'capacity' means the maximum flow, expressed in normal cubic meters per time unit or in energy unit per time unit, to which the network user is entitled in accordance with the provisions of the transportation contract;
- 4) 'congestion management' means management of the capacity portfolio of the transmission system operator with a view to optimal and maximum use of the technical capacity and the timely detection of future congestion and saturation points;
- 5) 'secondary market' means the market of the capacity traded otherwise than on the primary market;
- 6) 'nomination' means the prior reporting by the network user to the transmission undertaking of the actual flow that he wishes to inject into or withdraw from the system;
- 7) 're-nomination' means the reporting of a corrected nomination;
- 8) 'residual balancing' means the physical balancing to ensure system integrity during the balancing period;
- 9) 'system integrity' means any situation in respect of a transmission network or a transmission facility in which the pressure and the quality of the natural gas remain within the minimum and maximum limits laid down by the transmission system operator, so that the transmission of natural gas is guaranteed from a technical standpoint;
- 10) 'balancing period' means the period within which the off-take of an amount of natural gas, expressed in units of energy, must be offset by every network user by means of the injection of the same amount of natural gas into the transmission network in accordance with the transportation contract or the network code;
- 11) 'network users' means a customer **or a potential customer** of a transmission system operator **and** transmission system operators **themselves in so far as** it is necessary for **them** to carry out their functions in relation to transmission;

Tuesday 20 April 2004

- (12) 'interruptible services' mean services offered by the transmission system operator, based on interruptible capacity;
- 13) 'interruptible capacity' means gas transmission capacity that can be interrupted by the transmission system operator according to the conditions stipulated in the transportation contract;
- 14) 'long-term services' mean services offered by the transmission system operator with a duration of one year or more than one year;
- 15) 'short-term services' mean services offered by the transmission system operator with a duration of less than one year;
- 16) 'firm capacity' means gas transmission capacity contractually guaranteed by the transmission system operator;
- 17) 'technical capacity' means the maximum firm capacity that the transmission, system operator can offer to the network users, taking account of the system integrity and the operational requirements of the transmission network;
- 18) 'contracted capacity' means capacity that the transmission system operator has allocated to a network user by means of a transportation contract;
- 19) 'available capacity' means the part of the technical capacity that is not allocated and is still available to the system at that moment;
- 20) 'contractual congestion' means a situation where the level of firm capacity demand exceeds the technical capacity, i.e. all technical capacity is contracted as firm;
- 21) 'primary market' means the market of the capacity ***sold*** directly by the transmission system operator ***or sold by the holder of monopoly long-term transmission capacity rights or services***;
- 22) 'physical congestion' means a situation where the level of demand for actual deliveries exceeds the technical capacity at some point in time;
- 23) 'new market entrants' means undertakings that are not yet active in gas supply in the Member State concerned and which qualify as small player, or have only entered the market within 2 years following the entry into force of this Regulation and which qualify as small player;
- 24) 'small player' means a company with a market share of less than 3 % of the national gas market, on which it is active;
- 25) ***'interconnection agreements' means agreements between interconnected transmission system operators that are designed to ensure the interoperability of the interconnection point and may cover energy specification (including pressure, temperature and chemical gas specifications), changes in flow rates and the operation of the interconnection point;***
- 26) ***'operational balancing agreements' means agreements between interconnected transmission system operators that are designed to ensure the interoperability of the interconnection point and cover the operation of the transmission system operators' energy accounts at the interconnection point and are used to pool small operational imbalances ensuring that network users are allocated their full nomination, unless there is a significant net shortfall or excess;***
- 27) ***'relevant points' shall include at least all entry and most important exit points operated by a transmission system operator, all points connecting the transmission network with different network operators and LNG and storage facilities, all essential points within the network of the transmission system operator and all points connecting the network to infrastructure necessary for providing ancillary services as defined by Article 2, point 14 of Directive 2003/55/EC.***

- 2. The definitions contained in Article 2 of Directive 2003/55/EC shall also apply.

Tuesday 20 April 2004

Article 3

Charges for access to networks

1. Charges **or the methodologies used to calculate the charges** applied by transmission system operators for access to networks shall be transparent, take into account the need for system integrity and reflect **efficiently** incurred costs, including appropriate return on investments, and where appropriate, **national and** international benchmarking of tariffs. **The charges or the methodologies used to calculate the charges shall be** applied in a non-discriminatory manner.

The charges shall facilitate efficient gas trade and competition, while at the same time avoiding cross-subsidies between network users **and providing incentives for investment and maintaining or creating interoperability for transmission networks.**

2. Charges for network access shall not restrict market liquidity or distort trade across borders of different transmission systems. **In the event of differences in tariff structures or balancing mechanisms hampering cross-border trade, TSOs shall actively pursue convergence of tariff structures and charging principles including in relation to balancing.**

Article 4

Third Party Access services

1. **Transmission system operators shall seek to avoid any barriers to gas trade arising from the design or implementation of third party access services. Any existing barriers should be removed.**

2. Transmission system operators shall offer third party access services on the same contractual basis to all network users, either using standard transportation contracts or a common network code.

3. Transmission system operators shall provide both firm and interruptible third party access services. The price of interruptible capacity shall reflect the probability of **interruption.**

4. Transmission system operators shall offer to network users both long and short-term services.

5. Transportation contracts signed outside of a natural gas year with non-standard start dates or with a shorter duration than a standard transportation contract on an annual basis shall not result in arbitrarily higher tariffs.

6. **Transmission system operators shall ensure interoperability between different systems inter alia by entering into both standardised interconnection agreements and standardised operational balancing agreements at any interface.**

7. **For the purposes of the sale or allocation of services to third parties, any company holding monopoly long-term capacity rights shall have the same obligations as the transmission system operator of the pipeline for which those rights are held.**

8. **Where appropriate, third party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users. Such guarantees must not constitute any undue market entry barriers and must be non-discriminatory, transparent and proportionate.**

Tuesday 20 April 2004

Article 5

Principles of Capacity allocation mechanisms
and congestion management procedures

1. **The maximum capacity at all relevant points referred to in Article 6(4) shall be made available to market participants, taking into account system integrity and efficient network operation.**
2. Transmission system operators shall implement and publish non-discriminatory and transparent capacity allocation mechanisms, **which should:**
 - (a) **provide appropriate economic signals for efficient and maximum use of technical capacity and facilitate investment in new infrastructure;**
 - (b) **be compatible with the market mechanisms including spot markets and trading hubs while being flexible and capable of adapting to evolving market circumstances;**
 - (c) **be compatible with the network access systems of the Member States.**
3. When transmission system operators conclude new transportation contracts, these contracts shall take into account the following principles, which shall apply in cases of contractual congestion:
 - (a) the transmission system operator shall offer unused capacity on the primary market **at least on a day-ahead and interruptible basis;**
 - (b) network users who wish to re-sell their unused contracted capacity on the secondary market shall be entitled to do so.
4. When capacity contracted under existing transportation contracts remains unused, and **in the event of prolonged and significant** contractual congestion, transmission system operators shall, in consultation with the competent authorities, endeavour to free up this capacity, in order for the principles laid down in paragraph 3(a) and (b) to be applied.
5. In the event that physical congestion exists, non-discriminatory, market-based solutions shall be applied.

Article 6

Transparency requirements

1. Transmission system operators shall publish detailed information regarding the services they offer and the relevant conditions applied, together with the technical information necessary for network users to gain effective network access.
2. **In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the gas network, TSOs or relevant national authorities should publish reasonably and sufficiently detailed information on tariff derivation, methodology and structure.**
3. For the services provided, transmission system operators shall publish, **on a regular and rolling basis and in a user-friendly manner**, information on technical, contracted and available capacities on a numerical basis for all relevant points **or pipelines. These relevant points and pipelines shall include all connections with other transmission systems.**
4. **Other** relevant points of a transmission system **for which information** must be published shall be **determined** by national regulatory authorities **after consultation with network users.**
5. Where a transmission system operator considers that he is not entitled for confidentiality reasons to publish all the data required, he shall seek the agreement of the national regulatory authority to limit publication for the point or points in question.

Tuesday 20 April 2004

The national regulatory authority shall grant or refuse the agreement, taking into account the need to respect legitimate commercial confidentiality and the objective of creating a competitive internal gas market. *If agreement is granted*, available capacity shall be published without indicating the numerical data that would contravene confidentiality.

No exemption from the obligation to publish shall be possible where three or more network users have contracted capacity at the same point.

6. Transmission system operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible way and on a non-discriminatory basis.

Article 7

Balancing and imbalance charges

1. Balancing rules shall be designed in a fair, non-discriminatory, and transparent manner and shall be based on objective criteria. Balancing rules shall reflect genuine system needs taking into account the resources available to the transmission system operator.

2. There must be no requirement on network users to balance their inputs and outputs over a shorter period than is possible by using a market based balancing system. In the transition to achieving this the national regulatory authority shall ensure that a non-market based balancing service is provided and facilitates new entry.

3. In case of non-market based balancing systems, tolerance levels shall at least be designed in a way that reflects seasonality and the actual technical capabilities of the transmission system. Tolerance levels shall reflect genuine system needs taking into account the resources available to the transmission system operator.

4. Balancing charges shall be broadly cost-reflective, whilst providing appropriate incentives on network users to balance their input and off-take of gas. They shall avoid cross-subsidisation between network users and shall not hamper the entry of new market entrants.

Balancing charges shall be published.

5. Transmission system operators may collect penalties from network users whose input into and off-take from the transmission system is not in balance according to the balancing rules laid down in paragraph 1.

6. Penalties which exceed the effectively incurred balancing costs shall be re-distributed to the network users on a non-discriminatory basis. The method for re-distributing those costs shall be approved by the relevant national authorities.

7. Transmission system operators, provided that they have obtained or can be reasonably expected to obtain the relevant information, shall provide sufficient, well-timed and reliable on-line based information on the balancing status of network users that is necessary to enable network users to take timely corrective actions. Charges for the provision of such information shall be approved by the national regulatory authority and published.

The level of information provided shall reflect the level of information available to transmission system operators.

8. Member States shall ensure that transmission system operators harmonise balancing regimes and streamline structures and levels of balancing charges in order to facilitate gas trade.

Tuesday 20 April 2004

Article 8

Secondary markets

Transmission system operators shall **consult with network users to** allow and facilitate capacity rights to be freely tradable between registered network users in a secondary market. They shall develop standardised transportation contracts and procedures on the primary market to facilitate secondary trade of capacity and recognised the transfer of primary capacity rights where notified by network **users**.

Article 9

Guidelines

1. Where appropriate, guidelines providing the minimum degree of harmonisation required to achieve the aim of this Regulation shall specify:

- (a) details of tariff methodology, in accordance with Article 3;
- (b) details of third party access services including the character, duration and other requirements of these services, in accordance with Article 4;
- (c) details of the principles underlying capacity allocation mechanisms and on the application of congestion management procedures in case of contractual congestion, in accordance with Article 5;
- (c) details on the definition of the technical information necessary for network users to gain effective access to the system and the definition of all relevant points for transparency requirements, including the information to be published at all relevant points and the time schedule according to which this information shall be published, in accordance with Article 6;
- (e) details on balancing rules and imbalance charges, in accordance with Article 7;
- (f) details on secondary markets, in accordance with Article 8.

2. Guidelines on the issues listed in paragraph 1(b), (c) and (d) shall be laid down in the Annex. They shall be amended by the Commission in accordance with the procedure referred to in *Article 14(3)*.

3. The Commission shall, in accordance with the procedure referred to in *Article 14(3)*, **and no later than one year after the entry into force of this Regulation**, adopt guidelines on the issues listed in paragraph 1(a), (e) and (f).

Article 10

Regulatory authorities

When carrying out their responsibilities under this Regulation, the regulatory authorities of the Member States shall ensure compliance with this Regulation and the guidelines adopted pursuant to Article 9.

Where appropriate they shall cooperate with each other and with the Commission.

Article 11

Provision of information and confidentiality

1. Member States and the regulatory authorities shall, on request, provide to the Commission all information necessary for the purposes of Article 9.

The Commission shall fix a reasonable time limit within which the information is to be provided, taking into account the complexity of the information required and the urgency with which the information is needed.

Tuesday 20 April 2004

2. If the Member State or the regulatory authority concerned does not provide this information within the given time-limit pursuant to paragraph 1, the Commission may request all information necessary for the purpose of Article 9 directly from the undertakings concerned.

When sending a request for information to an undertaking, the Commission shall at the same time forward a copy of the request to the regulatory authorities of the Member State in whose territory the seat of the undertaking is situated.

In its request for information, the Commission shall state the legal basis of the request, the time limit within which the information is to be provided, the purpose of the request and also the penalties provided for in Article 13(2) for supplying incorrect, incomplete or misleading information. The Commission shall fix a reasonable time limit taking into account the complexity of the information required and the urgency with which the information is *needed*.

3. **Where** an undertaking does not provide the information requested within the time-limit fixed by the Commission or supplies incomplete information, the Commission may by decision require the information to be provided. The decision shall specify what information is required and fix an appropriate time-limit within which it is to be supplied. It shall indicate the penalties provided for in **Article 13(2)**.

The Commission shall at the same time send a copy of its decision to the regulatory authorities of the Member State within the territory of which the residence of the person or the seat of the undertaking is situated.

4. The Commission shall use the information collected pursuant to this Regulation only for the purposes of Article 9.

Article 12

Right of Member States to provide for more detailed measures

This regulation shall be without prejudice to the rights of Member States to maintain or introduce measures that contain more detailed provisions than those set out in this Regulation and the guidelines referred to in Article 9.

Article 13

Penalties

1. ***Without prejudice to paragraph 2, 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 the Commission of those provisions by 1 July 2005 at the latest and shall notify it without delay of any subsequent amendment affecting them.***

2. The Commission may by decision impose on undertakings fines not exceeding 1 % of the total turnover in the preceding business year where, intentionally or negligently, they supply incorrect, incomplete or misleading information in response to a request made pursuant to Article 11(2) or fail to supply information within the time-limit fixed by a decision adopted pursuant to the first subparagraph of Article 11(3).

In setting the amount of a fine, regard shall be had to the gravity of the failure to comply with the requirements of the first subparagraph.

3. Penalties provided for pursuant to paragraph 1 and decisions taken pursuant to paragraph 2 shall not be of a criminal law nature.

Tuesday 20 April 2004

Article 14

Committee

1. The Commission shall be assisted by the Committee set up by Article 13 of Regulation (EC) No 1228/2003 of the European Parliament and the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity ⁽¹⁾.

2. The Committee shall consult with and take due consideration of the views of transmission system operators, network users and gas consumers.

3. Where reference is made to this paragraph, Article 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.

Article 15

Commission Report

The Commission shall monitor the implementation of this Regulation. It shall submit to the European Parliament and the Council no more than three years after the entry into force of this Regulation a report on the experience gained in its application. In particular the report shall examine to what extent the Regulation has been successful in ensuring non-discriminatory and cost-reflective network access conditions for gas transmission networks in order to contribute to customer choice in a well functioning internal market and to long-term security of supply. The report shall be **drawn up pursuant to the reporting requirement set out in Directive 2003/55/EC, and may where necessary be** accompanied by appropriate proposals and/or recommendations.

Article 16

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 1 July 2005.

This Regulation shall be binding in its entirety and directly applicable in all Member States. **No Member State shall be exempted from its obligations except by an amendment of this Regulation.**

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

⁽¹⁾ OJ L 176 of 15.7.2003, p. 1.

Tuesday 20 April 2004

ANNEX

GUIDELINES ON THIRD PARTY ACCESS SERVICE

PRINCIPLES UNDERLYING CAPACITY ALLOCATION MECHANISM
AND CONGESTION MANAGEMENT PROCEDURES AND
THE APPLICATION OF CONGESTION MANAGEMENT PROCEDURES
IN CASE OF CONTRACTUAL CONGESTION, AND

THE DEFINITION OF THE TECHNICAL INFORMATION NECESSARY
FOR NETWORK USERS TO GAIN EFFECTIVE ACCESS TO THE SYSTEM AND
THE DEFINITION OF ALL RELEVANT POINTS FOR TRANSPARENCY REQUIREMENTS,
INCLUDING THE INFORMATION TO BE PUBLISHED AT ALL RELEVANT POINTS
AND THE TIME SCHEDULE ACCORDING TO WHICH
THIS INFORMATION SHALL BE PUBLISHED

1. Third Party Access Services

- (1) Transmission system operators shall offer firm and interruptible services down to a minimum period of one day.
- (2) Standard transportation contracts and common network code shall be designed in a manner that facilitates trading and re-utilisation of capacity contracted by network users without hampering capacity release.
- (3) ***The development of network codes and standard contracts must be done by proper consultation with network users and transmission system operators.***
- (4) Transmission system operators shall implement standardised nomination and re-nomination procedures and units of measurement, once agreed within EASEE-gas. They shall develop information systems and electronic communication means to provide adequate data to network users and to simplify transactions, such as nominations, capacity contracting and transfer of capacity rights between network users.
- (5) Transmission system operators shall harmonise formalised request procedures and response times according to best industry practice with the aim of minimising response times. They shall provide for on-line screen based capacity booking and confirmation systems, nominations and re-nominations procedures agreed within EASEE-gas no later than 1 July 2005.
- (6) Transmission system operators shall not separately charge network users for information requests and transactions associated with their transportation contracts and which are carried out according to standard rules and procedures.
- (7) Information requests that require extraordinary or excessive expenses such as feasibility studies may be charged separately, provided the charges can be duly substantiated.
- (8) Transmission system operators shall co-operate with other transmission system operators in co-ordinating the maintenance of their respective networks in order to minimise any disruption of transmission services to network users and transmission system operators in other areas and in order to ensure equal benefits with respect to security of supply including in relation to transit.
- (9) Transmission system operators shall publish at least once a year, by a predetermined deadline, all planned maintenance periods that might affect network users' right from transportation contracts and corresponding operational information with adequate advance notice. This shall include publishing

Tuesday 20 April 2004

on a prompt and non-discriminatory basis any changes to planned maintenance periods and notification of un-planned maintenance, as soon as that information becomes available to the TSO. During maintenance periods, TSOs shall publish regularly updated information on the details of and expected duration and effect of the maintenance.

- (10) Transmission system operators shall maintain and make available to the regulatory authority upon request a daily log of the actual maintenance and flow disruptions that have occurred. Information shall also be made available on request to those affected by any disruption.

2. Principles underlying capacity allocation mechanism and congestion management procedures and Application of congestion management procedures in case of contractual congestion

2.1 Principles underlying capacity allocation mechanism and congestion management procedures

- (1) Capacity allocation mechanism and congestion management procedures shall facilitate the development of competition and liquid trading of capacity and shall be compatible with market mechanisms including spot markets and trading hubs. They shall be flexible and capable of adapting to evolving market circumstances.
- (2) These mechanisms and procedures may take into account the integrity of the system concerned as well as security of supply.
- (3) These mechanisms and procedures shall neither hamper the entry of new market participants nor create undue barriers to enter the market. They shall not prevent market participants, including new market entrants and companies with a small market share, from competing effectively.
- (4) *These mechanisms and procedures shall provide appropriate economic signals for efficient and maximum use of technical capacity and facilitate investment in new infrastructure.*
- (5) *Network users shall be advised about the type of circumstance that could affect the availability of contracted capacity. Information on interruption should reflect the level of information available to the TSO.*
- (6) *If difficulties in meeting contractual delivery obligations arise for reasons of system integrity, TSOs should notify network users and seek a non-discriminatory solution without delay. TSOs shall consult network users regarding procedures prior to their implementation and agree them with the regulatory authority.*

2.2 Congestion management procedures in case of contractual congestion

- (1) In the event that contracted capacity goes un-used, transmission system operators shall make this capacity available on the primary market on an interruptible basis via contracts of differing duration, as long as this capacity is not offered by the relevant network user (capacity holder) on the secondary market at a reasonable price.
- (2) Revenues from released interruptible capacity shall be split according to rules laid down by the relevant regulatory authority. These rules shall be compatible with the requirement of an effective and efficient use of the system.
- (3) A reasonable price for released interruptible capacity may be determined by the relevant regulatory authorities taking into account the specific circumstances prevailing.
- (4) Transmission system operators shall make reasonable endeavours to offer at least parts of the unused capacity to the market as firm capacity.

Tuesday 20 April 2004

3. Definition of the technical information necessary for network users to gain effective access to the system and the definition of all relevant points for transparency requirements, including the information to be published at all relevant points and the time schedule according to which this information shall be published

3.1 Definition of the technical information necessary for network users to gain effective access to the system

Transmission system operators shall publish in national language(s) and at the same time in English at least the following information about their systems and services:

- (a) A detailed and comprehensive description of the different services offered and their charges;
- (b) The different types of transportation contracts available for these services and as applicable, the network code and/or the standard conditions outlining the rights and responsibilities for all network users including standard transportation contracts and other relevant documents;
- (c) The standard procedures applied when using the transmission system including the definition of key terms;
- (d) Provisions on capacity allocation, congestion management and anti-hoarding and re-utilisation procedures;
- (e) The rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator;
- (f) If applicable, the flexibility and tolerance levels included in transportation and other services without separate charge and as well as any flexibility offered in addition to this and the corresponding charges;
- (g) A detailed description of the gas system of the transmission system operator indicating all relevant points interconnecting its system with that of other transmission system operators and/or gas infrastructure such as LNG and infrastructure necessary for providing ancillary services as defined by Article 2, point 14 of Directive 2003/55/EC;
- (h) Information on gas quality and pressure requirements;
- (i) The rules applicable for connection to the system operated by the TSO;
- (j) Any information on proposed and/or actual changes to the services or conditions, including the items listed in points a) to i).

3.2 Definition of all relevant points for transparency requirements

Relevant points shall include at least:

- (a) All entry points to a network operated by a transmission system operator
- (b) The most important exit points covering at least 50 % of total exit capacity of the network of a given transmission system operator
- (c) All points connecting different networks of transmission system operators
- (d) All points connecting the network of a transmission system operator with an LNG terminal
- (e) All essential points within the network of a given transmission system operator including points connecting to gas hubs. All points are considered essential which, based on experience, are likely to experience physical congestion.
- (f) All points connecting the network of a given transmission system operator to infrastructure necessary for providing ancillary services as defined by Article 2(14) of Directive 2003/55/EC.

Tuesday 20 April 2004

3.3 Information to be published at all relevant points and the time schedule according to which this information should be published

- (1) At all relevant points, transmission system operators shall publish the following information about the capacity situation down to daily periods on the Internet on a regular/rolling basis and in a user-friendly standardised manner:
 - (a) the maximum technical capacity for flows in both directions
 - (b) the total contracted and interruptible capacity
 - (c) the available capacity
- (2) For all relevant points, transmission system operators shall publish available capacities for a period of at least 18 months ahead and shall update this information at least every month or more frequently, if new information becomes available.
- (3) Transmission system operators shall publish daily updates of availability of short-term services (day-ahead and week-ahead) based, inter alia, on nominations, prevailing contractual commitments and regular long-term forecasts of available capacities on an annual basis for up to 10 years for all relevant points.
- (4) ***Published capacities should not require further confirmation.***
- (5) Transmission system operators shall publish historical maximum and minimum monthly capacity utilisation rates and annual average flows at all relevant points for the past three years on a rolling basis.
- (6) Transmission system operators shall keep a daily log of actual aggregated flows for three months.
- (7) Transmission system operators shall keep effective records of all capacity contracts and all other relevant information in relation to calculating and providing access to available capacities, to which relevant national authorities shall have access to fulfil their duties.
- (8) Transmission system operators shall provide user-friendly instruments for calculating tariffs for the services available and for verifying on-line the capacity available.
- (9) Where transmission system operators are unable to publish information in accordance to paragraph 1, 3 and 8, they shall consult with their relevant national authorities and set up an Action Plan for implementation as soon as possible, but not later than 31 December 2005 at the latest.

P5_TA(2004)0302

Eco-design requirements for energy-using products *I**

European Parliament legislative resolution on the proposal for a directive of the European Parliament and of the Council on establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/EEC (COM(2003) 453 – C5-0369/2003 – 2003/0172(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 453) ⁽¹⁾,
- having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0369/2003),

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

- having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the proposed legal basis,
 - having regard to Rules 67 and 63 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Industry, External Trade, Research and Energy (A5-0171/2004),
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.

P5_TC1-COD(2003)0172

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC on establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/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 *and Article 175* 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) The disparities between the laws or administrative measures adopted by the Member States as regards the eco-design of energy using products can create barriers to trade and distort competition in the Community and may thus have a direct impact on the establishment and functioning of the internal market. The harmonisation of national laws is the only means to prevent such barriers to trade and unfair competition.
- (2) *The EU's environmental policy, as set out in the Sixth Community Environment Action Programme⁽⁵⁾, on the basis of principals enshrined in Article 175 of the Treaty, calls for the efficient use of energy and materials and the reduction of harmful emissions. Energy using products account for a rapidly increasing share of energy and material consumption in the Community and thus merit special attention within the ongoing overall effort of sustainable development.*

⁽¹⁾ OJ C [...], [...], p. [...].

⁽²⁾ OJ C [...], [...], p. [...].

⁽³⁾ OJ C [...], [...], p. [...].

⁽⁴⁾ Position of the European Parliament of 20 April 2004.

⁽⁵⁾ Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme (OJ L 242, 10.9.2002, p. 1).

Tuesday 20 April 2004

- (3) *The objectives of the Sixth Community Environment Action Programme will be pursued with consideration being given to the Integrated Product Policy approach and the Community's strategy for waste management, inter alia, by means of encouraging ecologically sound and sustainable product design and the formulation of operational measures to encourage waste prevention, such as encouraging re-use and recycling and the phasing out of certain substances and materials through product-related measures.*
- (4) *The Sixth Community Environment Action Program entails a commitment to action for the sustainable management and use of natural resources with the objective of ensuring that the consumption of resources and the associated effects do not exceed the carrying capacity of the environment and breaking the linkages between economic growth and resource use. These objectives should be pursued taking into consideration the Integrated Product Policy approach and the Community's strategy for waste management by means of priority actions including, inter alia, promotion of extraction and production methods and techniques to encourage eco-efficiency and the sustainable use of raw-materials, energy, water and other resources.*
- (5) *Energy-using Products (hereafter 'EuPs') account for a large proportion of the consumption of natural resources and energy in the Community. They also have a number of other important environmental impacts. For the vast majority of product categories available on the Community market, very different degrees of environmental impact can be noted though they provide similar functional performances. In the interest of sustainable development, continuous improvement in the overall environmental impact of those products should be encouraged, notably by identifying the major sources of negative environmental impacts and avoiding any transfer of pollution.*
- (6) *Eco-design of products is a crucial factor in the Community strategy on Integrated Product Policy. As a preventive approach, designed to optimise the environmental performance of products, while maintaining their functional qualities, it provides genuine new opportunities for manufacturers, for consumers and for society as a whole.*
- (7) *Energy efficiency improvement – with one of the available options being more efficient end use of electricity – is regarded as contributing substantially to the achievement of greenhouse gas emission targets in the European Union. Electricity demand is the fastest growing end energy use category and is projected to grow from about 7 000 to 10 000 kWh per capita within the next 20 to 30 years, in the absence of any policy action to counteract this trend. The European Climate Change Programme (ECCP) ⁽¹⁾ reported by the Commission suggests that a 40 % reduction of energy is possible. Climate change is one of the priorities of the Sixth Community Environment Action Programme. Energy saving is the most cost effective way to increase security of supply and reduce import dependency. Therefore, substantial demand side measures and targets should be adopted.*
- (8) *Action must be taken in the product design phase, since 80 % of the pollution caused during a product's life cycle is determined at this stage and 90 % of the costs involved are committed then.*
- (9) *A coherent framework for the application of Community eco-design requirements for EuPs should be established with the aim of ensuring the free movement of those products which comply and of improving their overall environmental impact. Such Community requirements should comply with the principles of fair competition and international trade.*
- (10) *Eco-design requirements have to be set with a view to the goals and priorities of the Sixth Community Environmental Action Programme, including forthcoming goals of the Sixth EAP thematic strategies, such as the Thematic Strategy on Sustainable Use of Natural Resources and Thematic Strategies on Waste Prevention and Recycling, the ECCP policy recommendations, the United*

⁽¹⁾ COM(2000) 88 final.

Tuesday 20 April 2004

Nations Framework Convention on Climate Change and the Kyoto Protocol commitment and, inter alia, existing goals of Directive 2000/60/EC⁽¹⁾, Directive 96/62/EC⁽²⁾, Directive 75/442/EEC⁽³⁾, Directive 76/769/EEC⁽⁴⁾, the OSPAR Convention, the Community Chemicals Policy and Regulation (EC) No .../2004 of the European Parliament and of the Council of ... [concerning persistent organic pollutants and amending Directives 79/117/EEC et 96/59/EC]⁽⁵⁾.

- (11) *A coherent framework for eco-design requirements at international level should also be established. The Commission is therefore called upon to initiate a dialogue with major trading partners – such as the US, Japan, China and India – to explore the possibilities of developing such a framework.*
- (12) This Directive seeks to achieve a high level of protection for the environment by improving resource efficiency of EuPs, which will ultimately be beneficial to consumers and other end users. Sustainable development also requires proper consideration of the health, social and economic impact of the measures envisaged. Improving the energy efficiency of products contributes to the security of energy supply which is a precondition of sound economic activity and therefore of sustainable development.
- (13) *It is important to pursue a more consistent approach to the issue of consumption in connection with sustainable development. Accordingly, the drafting of a guide entitled: ‘Energy Hints’, published by national and/or regional environmental management agencies and distributed principally to European families, would constitute an appropriate tool for making consumers aware of how energy is wasted.*
- (14) *Art 95(3) of the Treaty requires the Commission to take as a base for its proposals a high level of environmental protection, taking account in particular of any new development based on scientific facts.*
- (15) *It is in the interests of manufacturers and distributors to inform consumers about the environmental progress made by energy-using products and to advise them about how to use such products in a manner which is environmentally friendly.*
- (16) *The precautionary principle is part of the Treaty and should be observed in the drafting and implementation of the present Directive.*
- (17) The approach set out in the Green Paper on Integrated Product Policy⁽⁶⁾, which is a major innovative part of the Sixth Environmental Action Programme laid down in Decision No 1600/2002/EC aims to reduce the environmental impacts of products throughout their life cycle. Considering at the design stage a product’s environmental impact throughout the whole life cycle is highly likely to facilitate environmental improvement in a cost-effective way. **Extending this approach over successive generations of products will address the overall potential for improvement in a lasting way. To this end, manufacturers should aim at an improvement of the environmental performance of their products and evaluate alternative design solutions with the objective of achieving an improvement of the environmental performance of those products, taking into account the state of the art in eco-design. The choice of a specific design solution should achieve a reasonable balance between the various environmental aspects and between environmental aspects and other relevant considerations, such as technical requirements for functionality, quality and performance, and economic aspects, including manufacturing costs and marketability, while complying with all relevant legislation.**

⁽¹⁾ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

⁽²⁾ Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management (OJ L 296, 21.11.1996, p. 55).

⁽³⁾ Council Directive 75/442/EEC of 15 July 1975 on waste (OJ L 194, 25.7.1975, p. 39). Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽⁴⁾ Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ L 262, 27.9.1976, p. 201). Directive as last amended by Commission Directive 2004/21/EC (OJ L 57, 25.2.2004, p. 4).

⁽⁵⁾ OJ L ...

⁽⁶⁾ COM(2001) 68 final.

Tuesday 20 April 2004

- (18) *Whereas a comprehensive approach to environmental performance is desirable, greenhouse gas mitigation through energy efficiency increases is the priority environmental goal of the present Directive.*
- (19) *It is necessary and justified to establish specific quantified eco-design requirements for some products or environmental aspects thereof in order to ensure that their environmental impact is minimised. Considering the urgent need to contribute to the achievement of the goal set in the Kyoto Protocol to the United Nations Framework Convention on Climate Changes (UNFCCC), approved by Council Decision 2002/358/EC⁽¹⁾, which calls for an 8 % reduction in emissions of greenhouse gases for the Community by the year 2012 as well as further reductions beyond 2012, and without prejudice to the integrated approach promoted in the present Directive, priority should be given within 12 months of the adoption of the Framework Directive to those measures with a high potential for reducing greenhouse gas emissions at low cost. Such measures can also contribute to a sustainable use of resources and constitute a major contribution to the ten-year framework of programmes on sustainable production and consumption agreed at the World Summit on Sustainable Development in Johannesburg in September 2002.*
- (20) *Reducing energy consumption is an important instrument of European environmental policy, as laid down for example in the ECCP after consultation of all relevant stakeholders.*
- (21) *It should be recognised that Integrated Product Policy should eventually establish a common and harmonised framework on procedures for setting eco-design requirements for the activities undertaken under the Commission's Integrated Product Policy. In particular, product prioritisation and the approach on Product Design Obligations, should be taken into consideration. In the meantime, however, given the urgency of energy efficiency measures, it is necessary for the Commission to propose without delay a shortlist of products to be addressed and a timetable.*
- (22) *The level of eco-design requirements shall be established where improvements are technically feasible and economically justified, hence identified through a life-cycle cost analysis and set at the level where possible improvements present the lowest life-cycle cost. Flexibility in the method for establishing the level of requirements can make swift improvement of environmental performance easier. The parties involved should cooperate actively in this technical analysis. The setting of mandatory measures requires that a thorough analysis is performed by a competent but independent entity with balanced consultation of the interests involved including a balanced participation of economic interests and energy efficiency/environment advocates and consumer organisations. The necessary technical and economic analyses shall be carried out with competent, independent expertise. In order to generate and manage the knowledge and expertise required, an EU level product eco-design expert body should be established, drawing partially on the resources of the Intelligent Energy Executive Agency set up under Decision 2004/20/EC⁽²⁾. Such consultation may highlight the need for a phased introduction or transitional measures. The introduction of interim targets increases the predictability of the policy, allows for accommodating product development cycle and facilitates long term planning for the interested parties.*
- (23) *Countries such as Japan have established ambitious methods for setting energy efficiency requirements for eco-design. In order to ensure the future competitiveness of European manufacturers, the Commission should take such initiatives into careful consideration when setting up specific requirements under individual implementing measures.*

⁽¹⁾ 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 (OJ L 130, 15.5.2002, p. 1).

⁽²⁾ Commission Decision 2004/20/EC of 23 December 2003 setting up an agency, the 'Intelligent Energy Executive Agency' to manage Community action in the field of energy in application of Council Regulation (EC) No 58/2003 (OJ L 5, 9.1.2004, p. 85).

Tuesday 20 April 2004

- (24) **Alternative** courses of actions such as self-regulation by the industry **should be considered** where such actions are likely to deliver the policy objectives *more quickly or at lower cost* than mandatory requirements. **Existing or proposed self-regulation should be subject to the same independent analysis, stakeholder scrutiny and monitoring as implementing measures.** Legislative measures **are** needed where market forces fail to evolve in the right direction or at an acceptable speed.
- (25) **This Directive should also encourage the integration of eco-design in SMUs and very small firms. Better control of their energy consumption and awareness of the environment in their activities would be facilitated by the establishment of a Community-level database. This would be an important tool which would cover, inter alia, simplified analytical models of product life cycles, and positive environmental impact simulations for each stage of the life cycle and the eco-design requirements to be taken into account as a priority in order to reduce the energy and water consumption of and the noise pollution caused by products.**
- (26) EuPs complying with the eco-design requirements laid down in measures implementing this Directive should bear the 'CE' marking and associated information in order to enable them to be placed on the internal market and move freely. **The rigorous enforcement of implementing measures is a prerequisite for ensuring the reduction of the environmental impact of regulated EUPs and fair competition. Member States should involve interested stakeholders in the setting up of effective and timely market surveillance mechanisms. The Commission should draw up a report benchmarking the effectiveness of market surveillance processes implemented by the Member States. This report should also refer to all restrictive measures taken by Member States and any penalties applied. The report should be submitted to the European Parliament, to the Council and to the parties concerned, every two years.**
- (27) Regard should be given to the modules and rules intended for use in technical harmonisation Directives set out in 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 ⁽¹⁾.
- (28) Surveillance authorities should exchange information on the measures envisaged within the scope of this Directive with a view to improving surveillance of the market. Such co-operation should make the greatest possible use of electronic means of communication and relevant Community programmes. **The exchange of information is to be facilitated when the information is being centrally processed and made available to the public. To that end, standardisation of the reporting of such information is necessary. The accumulation and evaluation of the body of knowledge generated by the eco-design efforts of manufacturers is one of the principal benefits of the present Directive. The necessary technical and economical analyses shall be carried out by an expert independent of industry stakeholders. International benchmarking shall be used during the analysis (especially during the life-cycle cost analysis) and when setting requirements. The exchange of information on environmental lifecycle performance and the achievements of design solutions should be facilitated. In order to generate, build, manage and maintain this knowledge and expertise, the newly-created Intelligent Energy Executive Agency might be the repository for the knowledge and expertise needed.**
- (29) **In so far as concerns the training of small and medium-sized businesses in eco-design and the provision of eco-design information to them, it is appropriate to provide funding from the EU budget, in particular from the 'Intelligent Energy – Europe (2003-2006)' programme adopted under Decision No 1230/2003/EC ⁽²⁾, and funding from national budgets.**

⁽¹⁾ OJ L 220 of 30.8.1993, p. 23.

⁽²⁾ Decision No 1230/2003/EC of the European Parliament and of the Council of 26 June 2003 adopting a multi-annual programme for action in the field of energy: 'Intelligent Energy – Europe' (2003-2006) (OJ L 176, 15.7.2003, p. 29).

Tuesday 20 April 2004

- (30) It is in the interest of the functioning of the internal market to have standards which have been harmonised at Community level. Once the reference to such a standard has been published in the Official Journal of the European Union, compliance with it should raise a presumption of conformity with the corresponding requirements set out in the implementing measure adopted on the basis of this Directive, although other means of demonstrating such conformity should be permitted.
- (31) Harmonised standards are technical specifications adopted by the European Standardisation bodies, as referred to in Annex I to Directive 98/34/EC of 22 June 1998 of the European Parliament and the Council laying down a procedure for the provision of information in the field of technical standards and regulations⁽¹⁾, on mandates given by the Commission in conformity with that Directive and in accordance with the general guidelines for co-operation between the Commission and those bodies. In the interest of international trade, international standards should be used wherever appropriate.
- (32) This Directive is in accordance with the principles for the implementation of the new approach as set out in the Council Resolution of 7 May 1985 on a new approach to technical harmonisation and standards⁽²⁾ and of making reference to harmonised European standards. The Council Resolution of 28 October 1999 on the role of standardisation in Europe⁽³⁾ recommended that the Commission should examine whether the New Approach principle could be extended to sectors not yet covered as a means of improving and simplifying legislation wherever possible.
- (33) Synergies and complementarity of this Directive with existing Community instruments such as Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances⁽⁴⁾, Regulation (EC) No 180/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme⁽⁵⁾, Regulation (EC) No 2422/2001 of the European Parliament and of the Council of 6 November 2001 on a Community energy efficiency labelling programme for office equipment⁽⁶⁾, Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste from electrical and electronic equipment⁽⁷⁾, Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment⁽⁸⁾ should contribute to increasing their respective impact and building coherent requirements for manufacturers to apply.
- (34) *An Energy Labelling Directive constitutes an indispensable follow up measure to the present Directive.***
- (35) Since Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels⁽⁹⁾, Directive 96/57/EC of the European Parliament and of the Council of 3 September 1996 on energy efficiency requirements for household electric refrigerators, freezers and combinations thereof⁽¹⁰⁾ and Directive 2000/55/EC of the European Parliament and of the Council of 18 September 2000 on energy efficiency requirements for ballasts for fluorescent lighting⁽¹¹⁾ already contain provisions for the revision of the energy efficiency requirements, they should be integrated into the present framework.

⁽¹⁾ OJ L 204 of 21.7.1998, p. 37. Directive as amended by Directive 98/48/EC (OJ L 217, 5.8.1998, p. 18).

⁽²⁾ OJ C 136, 4.6.1985, p. 1.

⁽³⁾ OJ C 141, 19.5.2000, p. 1.

⁽⁴⁾ OJ L 297, 13.10.1992, p. 16. Directive amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽⁵⁾ OJ L 237, 21.9.2000, p. 1.

⁽⁶⁾ OJ L 332, 12.12.2001, p. 1.

⁽⁷⁾ OJ L 37, 13.2.2003, p. 24. Directive amended by Directive 2003/108/EC (OJ L 345, 31.12.2003, p. 106).

⁽⁸⁾ OJ L 37, 13.2.2003, p. 19.

⁽⁹⁾ OJ L 167, 22.6.1992, p. 17. Directive amended by Directive 2004/8/EC of the European Parliament and of the Council (OJ L 52, 21.2.2004, p. 50).

⁽¹⁰⁾ OJ L 236, 18.9.1996, p. 36.

⁽¹¹⁾ OJ L 279, 1.11.2000, p. 33.

Tuesday 20 April 2004

- (36) Directive 92/42/EEC provides for a star rating system intended to ascertain the energy performance of boilers. Since Member States and the industry agree that the star rating system has proved not to deliver the expected result, Directive 92/42/EEC should be amended accordingly.
- (37) The requirements laid down in Council Directive 78/170/EEC of 13 February 1978 on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings⁽¹⁾ have been superseded by provisions of Directive 92/42/EEC, Council Directive 90/396/EEC of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels⁽²⁾ and Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings⁽³⁾. Directive 78/170/EEC should therefore be repealed.
- (38) Directive 86/594/EEC of 1 December 1986 on airborne noise emitted by household appliances⁽⁴⁾ lays down the conditions under which publication of information on the noise emitted by such appliances may be required by Member States, and defines a procedure to determine the level of noise. For harmonisation purposes noise emissions should be included in an integrated assessment of environmental performance. Since this Directive provides for such an integrated approach, Directive 86/594/EEC should be repealed.
- (39) 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 to the Commission⁽⁵⁾. ***In order to encourage the effective participation of the parties concerned, a Consultative Committee procedure should be introduced parallel to the comitology procedure. The procedure put in place by Decision 2000/730/EC of the Commission of 10 November 2000 establishing the European Union Eco-labelling Board and its rules of procedure⁽⁶⁾ may serve as a model.***
- (40) Member States should determine the penalties to be applied in the event of infringements of the national provisions adopted pursuant to this Directive. Those penalties should be effective, proportionate and dissuasive.
- (41) ***The time needed to perform a proper conformity verification may be too long compared to the time normally elapsing between the placement of a product on the market and its final sale to the user. Implementing measures should therefore contain provisions that enable Member States to impose penalties in proportion to the degree to which products fail to conform to legal requirements and the quantity of non-conforming EuPs placed on the Community market before national authorities impose any restriction on placing such products on the market.***
- (42) Since the objectives of the proposed action, namely to ensure the functioning of the internal market by requiring products to reach an adequate level of environmental performance, cannot be sufficiently achieved by Member States acting alone and can therefore, by reason of their scale and effects, 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.
- (43) ***The right of the European Parliament to monitor – especially in the context of co-decision but also in more technical legislative domains – the application of the Framework Directive in comitology by means of implementing measures must be guaranteed. The call-back option for the European Parliament as enshrined in the draft Constitution is welcomed as a reasonable compromise between efficiency and democratic scrutiny,***

⁽¹⁾ OJ L 52, 23.2.1978, p. 32. Directive amended by Directive 82/885/EEC (OJ L 378, 31.12.1982, p. 19).

⁽²⁾ OJ L 196, 26.7.1990, p. 15. Directive amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

⁽³⁾ OJ L 1, 4.1.2003, p. 65.

⁽⁴⁾ OJ L 344, 6.12.1986, p. 24. Directive amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁶⁾ OJ L 293, 22.11.2000, p. 24.

Tuesday 20 April 2004

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Subject matter and scope

Application of this Directive establishes a framework for the integration of environmental aspects in product design and development, **with priority for energy efficiency improvement**, in order to ensure the free movement of energy-using products within the internal market.

It provides for the definition of requirements which the *energy-using* products covered by implementing measures must fulfil with a view to their *being placed* on the market. It contributes to sustainable development by increasing security of energy supply and by aiming at a high level of environmental protection.

Application of this Directive **may in the future be extended** to means of transport for persons or goods by land, sea and air.

Article 2

Definitions

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

- (1) 'Energy-using Product (EuP)' means a product which is dependent on energy input (electricity, fossil and renewable fuels) to work as intended and a product for the generation, transfer and measurement of such energy, including parts which are intended to be incorporated into *an* EuP which are placed on the market as individual parts for end-users, the environmental performance of which can be assessed independently;
- (2) 'Components and sub-assemblies' means parts intended to be incorporated into *an* EuP, **including materials and intermediate products**, and which are not placed on the market as individual parts for *end-users* or the environmental performance of which *cannot* be assessed independently;
- (3) 'Implementing measures' means measures adopted pursuant to this Directive laying down eco-design requirements which are necessary for achieving the aim of this Directive for defined EuPs or for environmental aspects thereof;
- (4) 'Placing on the market' means making *an* EuP available for the first time on the Community market, **as a new or refurbished product**, with a view to its distribution or use within the Community whether for reward or free of charge;
- (5) '**Putting into service**' means **the first use in the Community by the end-user of an EuP for its intended purpose**;
- (6) 'Manufacturer' means any natural or legal person responsible for the conformity of an EuP with this Directive in view of its *being placed* on the market under its own name or trademark or for its own use;
- (7) 'Authorised representative' means any natural or legal person established in the Community who, explicitly designated by the manufacturer, acts on its behalf and may be addressed by authorities and bodies in the Community instead of the manufacturer with regard to the latter's obligations under this Directive;
- (8) '**Importer**' means **any natural or legal person established in the Community, who first places an EuP on the market, where the manufacturer is not established in the Community and there is no authorised representative**;
- (9) '**Independent notified body**' means **a permanent body of experts that is designated by the public authorities and is independent of the economic interests concerned so that it may carry out third-party verification of the product or product sector addressed by an implementing measure**;

Tuesday 20 April 2004

- (10) 'Materials' means raw materials, intermediate products and auxiliary materials
- (11) 'Product design' means the set of processes that transform legal, technical, safety, functional, market or other requirements to be met by the product into the technical specification of *an* EuP;
- (12) 'Environmental aspect' means *a part* or function of *an* EuP, **at any stage in its life cycle**, that can interact with the environment;
- (13) 'Environmental impact' means any adverse change to the environment, wholly or partially resulting from ***an* EuP at any stage in its life cycle**;
- (14) 'Life cycle' means the consecutive and interlinked stages of *an* EuP from **raw material extraction** to its final disposal;
- (15) 'End of life' means *the* state of *an* EuP *that has* reached the end of **its use**;
- (16) 'Re-use' means any operation by which *an* EuP or its components, having reached the end of their first use, are used for the same purpose for which they were conceived, including the continued use of *an* EuP, which is returned to a collection point, distributor, recycler or manufacturer, as well as re-use of *an* EuP following refurbishment;
- (17) 'Recycling' means the reprocessing in a production process of waste materials for the original purpose or for other purposes but excluding energy recovery. Energy recovery means the use of combustible waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat;
- (18) 'Recovery' means any of the applicable operations provided for in Annex II B to Directive 75/442/EEC;
- (19) 'Waste' means any substance or object in the categories set out in Annex I to Directive 75/442/EEC which the holder discards or intends or is required to discard;
- (20) 'Ecological profile' means a description, in accordance with the implementing measure applicable to the EuP, of the inputs and outputs including, as appropriate, raw materials, intermediate products, emissions and waste, associated with *an* EuP throughout its lifecycle which are significant from the point of view of its environmental impact and are expressed in physical quantities that can be measured;
- (21) 'Environmental performance' of *an* EuP means **the sum total of its effects on the environment throughout its life cycle**;
- (22) 'Improvement of the environmental performance' means the process of enhancing the overall environmental performance of *an* EuP, over successive generations, **judged against a product eco-design benchmark**, although not necessarily *with regard to* all environmental aspects of the product simultaneously;
- (23) '**A product eco-design benchmark**' means **taking as a reference the state of the art in eco-design as regards a particular environmental aspect. Where relevant, this shall make use of international benchmarks — especially as regards energy efficiency**;
- (24) 'Eco-design' means the systematic integration of environmental aspects into product design with the aim of *improving* the environmental performance of the EuP throughout its whole life cycle;
- (25) 'Eco-design requirement' means any requirement in relation to *an* EuP, or the design of *an* EuP, intended to improve its environmental performance. **The** supply of information with regard to the ecological aspects of *an* EuP **shall supplement this requirement**;
- (26) 'Generic eco-design requirement' means any eco-design requirement based on the ecological profile as a whole and not setting limit values on particular environmental aspects;

Tuesday 20 April 2004

- (27) 'Specific eco-design requirement' means a quantified and measurable eco-design requirement relating to a particular environmental aspect of an EuP, such as energy consumption during use, calculated for a given unit of output performance;
- (28) 'Harmonised standard' means a technical specification adopted by a recognised standards body under a mandate from the Commission in accordance with the procedures laid down in Directive 98/34/EC for the purpose of establishing a European requirement, compliance with which is not compulsory;
- (29) '**Lowest life cycle cost**' means the sum of the purchase price and the discounted running cost over a realistic life-time of an EuP;

Article 3

Market surveillance

Member States shall take all appropriate measures to ensure that EuPs covered by implementing measures **or voluntary agreements as referred to in Article 16** may be placed on the market and put into service only if they comply with those measures.

Member States shall designate the authorities responsible for applying this Directive.

They shall arrange for such authorities to enjoy and exercise the necessary powers to take the appropriate measures incumbent upon them under this Directive.

Member States shall define the tasks, powers and organisational arrangements of the competent authorities, which shall be entitled:

- (i) **to organise, even after EuPs have been placed on the market, appropriate checks of their compliance, on an adequate scale, and to oblige the manufacturer or Importer to recall non-complying products from the market,**
- (ii) **to require the provision of all necessary information by the parties concerned, as specified in the implementing measures or voluntary agreements,**
- (iii) **to take samples of products and subject them to compliance checks.**

Member States shall keep the Commission informed and, where appropriate, the Commission shall pass on such information to the other Member States.

Member States shall ensure that consumers and other interested parties are given an opportunity to submit complaints to the competent authorities on product compliance and on surveillance. Member States shall actively inform consumers and other interested parties of the procedures established to that end.

Article 4

Marking and declaration of conformity

1. Before an EuP covered by implementing measures is placed on the market, CE conformity marking shall be affixed, **provided that the conditions laid down in Annex III are met**, and a declaration of conformity issued, whereby the manufacturer or its authorised representative ensures and declares that the EuP complies with all relevant **requirements** of the applicable implementing measure.

Where a manufacturer is not established in the European Community, and where no authorised representative has been appointed, the Importer must ensure that a declaration of conformity is drawn up and that it meets all legal requirements.

- 2. The CE conformity marking consists of the initials 'CE' as shown in Annex III.
- 3. The declaration of conformity shall contain the elements specified in Annex V.

Tuesday 20 April 2004

4. The affixing of markings on EuPs which are likely to mislead users as to the meaning or form of the CE marking shall be prohibited.

5. Member States may require the information to be supplied pursuant to part 3 of Annex I to be in their official language(s) when the EuP reaches the final user. Member States **shall not prevent** this information from also being provided in one or more other official Community language(s).

When applying the first subparagraph, Member States shall take into account in particular:

- (a) whether the information can be supplied by harmonised symbols or recognised codes or other measures;
- (b) the type of user anticipated for the EuP and the nature of the information which is to be provided.

Article 5

Free movement

1. Member States shall not **on grounds of requirements relating to environmental aspects covered by applicable implementing measures**, create any obstacle to the placing on the market and/or putting into service, within their **territories, of an** EuP that complies with all the relevant provisions of the applicable implementing measure and bears the CE marking in accordance with Article 4.

2. Member States shall not prevent the showing, for example at trade fairs, exhibitions and demonstrations, of EuPs which are not in conformity with the **requirements** of the applicable implementing measure, provided that a visible sign clearly indicates their non-conformity and the fact that they are not available for sale until brought into conformity.

Article 6

Restriction of placing on the market

1. Where a Member State ascertains that *an* EuP bearing the CE marking referred to in Article 4 and used in accordance with its intended use, does not comply with all the relevant **requirements** of the applicable implementing measure, and that the CE marking has been *affixed* unduly, the manufacturer or its authorised representative shall be obliged to make the EuP comply with the **requirements** of the applicable implementing measure and/or with the CE marking and to end the infringement under conditions imposed by the Member State.

In special cases, the competent authority may immediately prohibit the sale of the EuP in the territory of the Member State or throughout the European Union until compliance is established.

Where the manufacturer is not established in the Community and there is no authorised representative, the Importer shall be under an obligation to make the EuP comply with the requirements of the applicable implementing measure.

Where non compliance continues, the Member State shall restrict or prohibit the placing on the market of the EuP in question or ensure that it is withdrawn from the market.

2. Any decision by a Member State pursuant to this Directive which restricts the placing on the market and/or the putting into service of a EuP shall state the exact grounds on which it is based.

Such decision shall be notified forthwith to the party concerned, who shall at the same time be informed of the legal remedies available under the laws in force in the Member State concerned and of the time limits to which such remedies are subject.

Tuesday 20 April 2004

3. The Member State shall immediately inform the Commission and the other Member States of any measure referred to in paragraph 1, indicating the reasons therefor, and, in particular, whether non-compliance is due to:

- (a) failure to satisfy the requirements of the applicable implementing measure;
- (b) incorrect application of the harmonised standards referred to in Article 9(2);
- (c) shortcomings in the harmonised standards referred to in Article 9(2).

4. The Commission shall enter into consultation with the parties concerned without delay and may draw upon technical advice from independent external experts.

Where, following that consultation, the Commission considers, that the measure is justified, it shall immediately inform the Member State which took the initiative and the other Member States to that effect.

Where the Commission considers that the measure is unjustified, it shall immediately inform the Member States to that effect.

5. Where the decision referred to in the first subparagraph of paragraph 1 of this Article is based on a shortcoming in the harmonised standards, the Commission shall immediately initiate the procedure set out in Article 9(2), (3) and (4). The Commission shall at the same time inform the Committee referred to in Article 21(1).

6. Where *an* EuP which does not comply with all the relevant **requirements** of the applicable implementing measure bears the CE marking, the Member State concerned shall take appropriate action against the manufacturer or its authorised representative having affixed the CE marking, **or the Importer having placed the EuP on the Community market**, and shall inform the Commission and the other Member States to that effect.

7. The Member States and the Commission shall take the necessary measures to guarantee confidentiality with regard to information provided during that procedure, where justified. **Member States and the Commission shall inform the public about confirmed instances of non-compliance.**

8. The decisions taken by Member States pursuant to this Article shall be made public.

The Commission's opinion on those decisions shall be published in the Official Journal of the European Union.

Article 7

Conformity assessment

1. Before placing a EuP covered by implementing measures on the market, the manufacturer shall perform a conformity assessment of the EuP with all the relevant **requirements** of the applicable implementing measure.

2. The conformity assessment procedures shall be specified by the implementing measures **by** the internal design control set out in Annex IV. **The** conformity assessment procedure **module B** as described in Decision 93/465/EEC **may involve verification or may be specified among other modules when duly justified.**

The conformity assessment procedure shall provide that environmental performance declarations are submitted to the relevant authorities in accordance with the eco-design requirements laid down in the implementing measure.

To that end, standard declaration forms for the relevant elements shall be specified in the implementing measure and Member States shall designate the bodies responsible for receiving the data, at national and/or Community level.

3. **The control authority shall automatically refer to an independent notified body any EuP whose compliance with the requirements set in implementing measures is in serious doubt.**

The notified body shall give the control authority its substantiated opinion in order to allow a timely assessment of the corrective action needed, if any.

Tuesday 20 April 2004

4. After placing *an* EuP covered by implementing measures on the market, the manufacturer or its authorised representative shall keep relevant documents relating to the conformity assessment performed and declarations of conformity issued available for inspection by Member States for a period of 10 years after the last EuP has been manufactured.

The relevant documents shall be made available within 10 days upon receipt of a request by the competent authority of a Member State.

5. Where the manufacturer is not established within the Community and in the absence of an authorised representative, the obligation to ensure that the EuP placed on the market conforms with the requirements of the applicable implementing measure shall lie with the *Importer*.

6. Documents relating to the conformity assessment and declaration of conformity referred to in Article 4 shall be drawn up in one of the official languages of the Community.

Article 8

Presumption of conformity

1. Member States shall regard EuPs bearing the CE marking referred to in Article 4 as conforming to the relevant **requirements** of the applicable implementing measure.

2. EuPs for which harmonised standards have been applied, the reference numbers of which have been published in the Official Journal of the European Union, shall be presumed to comply with all the relevant **requirements** of the applicable implementing measure to which such standards relate.

3. EuPs which have been awarded the Eco-label pursuant to Regulation (EC) No 1980/2000 shall be presumed to comply with the eco-design requirements of the applicable implementing measure insofar as those requirements are met by the Eco-label.

Article 9

Harmonised Standards

1. Member States shall ensure that appropriate measures are taken to enable interested parties to be consulted at national level on the process of preparing and monitoring the harmonised standards. ***This should include actively supporting and funding the appropriate participation of interested groups, in particular civil society organisations, at national level.***

2. Where a Member State or the Commission considers that the harmonised standards, the application of which is deemed to satisfy specific **requirements** of an applicable implementing measure, do not entirely satisfy *them*, the Member State concerned or the Commission shall inform the Standing Committee set up by Article 5 of Directive 98/34/EC to that effect giving the reasons.

The Committee shall issue an opinion as a matter of urgency.

3. In the light of the Committee's opinion, the Commission shall decide to publish, not to publish, to publish with restriction, to maintain or to withdraw the references to the harmonised standards concerned in the Official Journal of the European Union.

4. The Commission shall inform the European Standardisation body concerned and, if necessary, issue a new mandate with a view to the revision of the harmonised standards concerned.

Article 10

Requirements for components and sub-assemblies

In accordance with implementing measures, Member States shall ensure that manufacturers of components or sub-assemblies of EuP provide, at the request of other manufacturers making use of the component or sub-assembly in a EuP covered by an implementing measure, all information necessary for the establishment of the ecological profile of the EuP.

Tuesday 20 April 2004

Implementing measures may require manufacturers **of parts, components or sub-assemblies of EuPs** to provide **manufacturers of EuPs with** information on the material composition and the consumption of energy and/or resources of the **parts, components or sub-assemblies** they produce, and where available, the results of environmental assessments and/or case reference studies which relate to the use and end-of-life management of the **parts, components or sub-assemblies** concerned.

Article 11

Administrative co-operation and exchange of information

1. Member States shall designate the authorities responsible for applying this Directive.

They shall encourage those authorities to co-operate with each other and provide each other with information in order to facilitate the application of this Directive.

The administrative co-operation and exchange of information shall take utmost advantage of electronic means of communication and may be supported by relevant Community programmes.

In order to obtain an independent assessment of the information, the Executive Agency of the 'Intelligent Energy – Europe (2003-2006)' programme should consult experts, and should be provided with the necessary financial resources to do so.

Member States shall put in place a network of databases accessible to the public which might contain, inter alia, simplified analytical models of product lifecycles, positive environmental impact simulations for each stage of the lifecycle, and the eco-design requirements to be taken into account as a priority in order to reduce the energy and water consumption of and the noise pollution caused by products.

The Member States shall ensure, in particular by strengthening support networks and structures, that they encourage SMEs and very small firms to adopt an environmentally sound approach as early as the product design stage, so as to ensure continuous eco-design improvement and to anticipate the need for future European legislation.

2. Member States shall ensure that SMEs have the necessary eco-design and adaptation resources. This support shall provide, for example, product design solutions or data to support re-design solutions, training and expertise in an accessible format.

3. For third party verification of conformity assessments Member States shall designate independent, expert, notified bodies, as required under Article 7.

4. The exchange of product environmental performance information between manufacturers and authorities and among authorities shall be provided for. The information shall be centrally processed and made available to public scrutiny in a useful format.

To that end, standard reporting forms for the relevant elements shall be specified in the implementing measure and Member States shall designate the bodies responsible for collecting and processing the data, at national and/or Community level.

5. Specifications and structure of the exchange of information between the Commission and Member States shall be decided in accordance with the procedure referred to in Article 21(2).

6. Specific funding shall be allocated for the creation of an energy efficiency advocacy network.

Tuesday 20 April 2004

Article 12**Measures for SMEs and very small firms**

1. *To enable SMEs and very small firms to comply with the provisions of this Directive it is proposed that the Commission establish a database accessible to the public which might contain, inter alia, simplified analytical models of product lifecycles, positive environmental impact simulations for each stage of the lifecycle and the eco-design requirements to be taken into account as a priority in order to reduce the energy and water consumption of and the noise pollution caused by products.*
2. *The Member States shall ensure, in particular by strengthening support networks and structures, that they encourage SMEs and very small firms to adopt an environmentally sound approach as early as at the product design stage and to adapt to future European legislation.*

Article 13**Consumer Information**

1. *Manufacturers and distributors shall ensure that consumers of eco-designed energy-using products are provided with the requisite information, in such form as they deem appropriate, on:*
 - (a) *the environmental impact of the product throughout its lifecycle;*
 - (b) *the ecological profile of the product and the benefits of eco-design;*
 - (c) *the role that they may play in reducing energy consumption by sustainable use of the product.*
2. *The Member States, in cooperation with the national and/or regional environment management agencies, shall encourage the publication of a guide entitled: 'Energy Hints' aimed principally at European families.*

Article 14**Implementing measures**

1. *The Commission, acting in accordance with the procedure referred to in Article 21(2), and pursuing Community environmental priorities, such as those set out in Decision No 1600/2002/EC, in Directive 2000/60/EC, in Directive 96/62/EC, in Directive 75/442/EEC, in the OSPAR Convention and in other relevant EU environmental legislation and strategies, and having regard to the goal set in the Kyoto Protocol to the United Nations Framework Convention on Climate Change (UNFCCC), shall adopt implementing measures when the following criteria are met:*
 - (a) *with regard to the selection of the EuP to be covered:*
 - (i) *the EuP represents a significant volume of sales and trade;*
 - (ii) *the EuP has a significant environmental impact;*
 - (iii) *the EuP presents significant potential for improvement in terms of its environmental impact,*
 - (b) *as regards to the content of the measure:*
 - (i) *the entire life cycle of the product shall be considered;*
 - (ii) *the performance of the product, from the perspective of the user, shall not be significantly affected;*
 - (iii) *health and safety shall not be adversely affected;*
 - (iv) *there should be no significant negative impact on consumers in particular as regard the affordability and the life cycle cost of the product.*

Tuesday 20 April 2004

2. *Should the Commission have justified reasons for declining to adopt an implementing measure, such as the existence of a voluntary agreement which achieves the policy objectives more quickly or at lesser expense than mandatory requirements, it shall formally justify its decision in that regard to the Council and the European Parliament.*

3. The implementing measures shall lay **down specific** eco-design requirements in accordance with Annex II.

Generic eco-design requirements, *fixed in accordance with Annex I, shall be introduced, in addition to specific requirements, in particular where this is necessary for achieving of knowledge-building objectives and the stimulating innovation.*

4. The implementing measures shall include the information listed in Annex VI **and shall establish quantitative targets for the levels of random third party pre-distribution verification as well as provisions on regular reporting by Member States to the Commission on these activities. The percentage of products to be tested shall be set according to the market situation of products.**

5. *The implementing measures shall be subject to revision and, if necessary, adaptation to technical progress every three years.*

6. *When drafting the standards, the Commission shall use the know-how accumulated for setting EU-wide labels.*

Article 15

Work plan

Within 12 months of the adoption of the present Directive, and in accordance with the procedure referred to in Article 21, the Commission shall adopt implementing measures at least for those products which have been identified by the European Climate Change Programme (ECCP) as offering a high potential for cost-effective reduction of greenhouse gas emissions, such as heating and water heating equipment, electric motor systems, lighting in both the domestic and tertiary sectors, domestic appliances, office equipment both in the domestic and tertiary sectors, consumer electronics and HVAC (heating ventilating air conditioning) systems.

A separate implementing measure reducing stand-by losses of all products shall be presented by the Commission within 12 months of the adoption of the present Directive. For ICT products, off-mode consumption should as a general principle be minimised as far as is technically possible.

Should the Commission have justified reasons for declining to present a proposal in the above-mentioned fields, such as the existence of a voluntary agreement which achieves the policy objectives more quickly or at lesser cost than mandatory requirements, it shall formally justify its decision in that regard to the European Parliament and the Council.

Following consultation of the Eco-Design Board, as provided for in Article 20, the Commission, taking account of the overall environmental impact, shall set out a work plan for the following three years with an indicative list of the product groups to be considered as priorities for the adoption of implementing measures, and shall present the plan to the European Parliament and the Council. The list of product groups shall be adapted periodically by the Commission in consultation with the Committee referred to in Article 21.

Every five years, the Commission shall submit to the European Parliament and to the Council a report setting out the results obtained in areas where implementing measures have been put in place and where voluntary industry agreements are being applied.

Tuesday 20 April 2004

Article 16

Self regulation

Voluntary agreements or other self-regulation measures proposed shall be subject to the full scrutiny of the Eco-Design Board, which shall have recourse to analytical studies so as to determine how suitable they are for achieving the desired outcomes, including their level of ambitiousness, the objectives set and the reporting and review procedures envisaged, in addition to the minimum eligibility criteria set out in Annex VII.

Article 17

Existing implementing measures

Directives 92/42/EEC, 96/57/EC and 2000/55/EC shall be considered as implementing measures within the meaning of this Directive for domestic hot-water boilers, domestic refrigeration appliances and ballasts for fluorescent lighting respectively with regard to energy efficiency during use.

Article 18

Derogations

As far as local environmental problems are concerned, this Directive shall not affect the right of Member States to keep or introduce, in accordance with the Treaty, more stringent rules concerning the manufacture, import, sale or consumption of energy-using products which they deem necessary in order to achieve a high level of protection of the environment and public health and security of energy supply, provided that such rules do not prejudice the rules laid down in this Directive.

Article 19

Independent body of experts

For the purposes of benchmarking, independent analyses and assisting the Commission in setting eco-design requirements in implementing measures, an independent body of experts shall be created. This may form part of existing Agencies or require the creation of new structures, provided that independent expertise on all potential environmental aspects is available. This body shall be provided with the necessary financial resources, part of which may be derived from the 'Intelligent Energy – Europe (2003-2006)' programme.

Article 20

Eco-Design Board

The Commission shall establish an Eco-Design Board with balanced participation of all relevant interested parties, such as industry and service providers, including SMEs, craftsmen and their business organisations, trade unions, traders, retailers, Importers, energy efficiency experts, eco-design pioneers, environmental protection groups and consumer organisations. The Board shall in particular contribute to defining and reviewing implementing measures and assessing self-regulation measures.

The Eco-Design Board shall meet in parallel with the Committee referred to in Article 21.

The rules of procedure of the Board shall be established by the Commission in accordance with the procedure referred to in Article 21 and shall include provisions on funding the participation of relevant civil society groups.

Tuesday 20 April 2004

Article 21

Committee

1. The Commission shall be assisted by a committee, hereinafter referred to as the 'Committee', composed of representatives of the Member States and chaired by the representative of the Commission.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period referred to in Article 5(6) of Decision 1999/468/EC shall be three months.

3. The Committee shall adopt its rules of procedure.

Article 22

Penalties

The Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to **implementing measures under** this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive, **taking into account the degree of non-compliance and the quantities of non-complying products placed on the Community market before being prohibited by a Member State. In accordance with national practice, the penalties shall be entirely devoted to funding the activities of the control authorities.** The Member States shall notify such provisions to the Commission by the date specified in the first subparagraph of Article 26(1) at the latest and shall notify it without delay of any subsequent amendment affecting them. **The Commission shall notify each Member State of any penalty imposed in the Community pursuant to this Directive.**

Article 23

Amendment

Directive 92/42/EEC is amended as follows:

- (1) Article 6 is deleted.
- (2) Annex I, section 2, is deleted.

Article 24

Repeals

Directives 78/170/EEC and 86/594/EEC are repealed.

Article 25

Review

The Commission shall review the effectiveness of this Directive, in particular in light of the Thematic Strategy on Sustainable Use of Natural Resources. On the basis of appropriate studies and stakeholder consultation, the Commission shall present proposals to the European Parliament and the Council for amending this Directive five years after its entry into force.

Article 26

Transposition

1. Member States shall adopt and publish, by 31 December 2005 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

Tuesday 20 April 2004

They shall apply those provisions with effect from 1 July 2006.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such 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 texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 27

Entry into force

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

Article 28

Addressees

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

ANNEX I

METHODS FOR SETTING GENERIC ECO-DESIGN REQUIREMENTS

Generic eco-design requirements aim at improving the environmental performance of the product, focusing on significant environmental aspects thereof without setting limit values. The Commission shall identify significant environmental aspects during the preparation of the draft measure to be submitted to the Committee referred to in Article 21, which shall be specified in the implementing measure.

Implementing measures laying down generic eco-design requirements pursuant to Article 14(4) shall identify, as appropriate for the EuP covered by the implementing measure in question, the applicable methodology and eco-design parameters from amongst those listed in parts 1 and 2 and the information supply requirements from amongst those listed in part 3.

All data, analyses and eco-profiles shall be available for scrutiny by the Eco-Design Board, in the course of its assessment and determination of the implementing measure and any subsequent benchmarking or profiling.

Part 1. General Provisions

*In order to select the parameters for an implementing measure, an assessment of the environmental aspects of a representative EuP model throughout its lifecycle **shall be performed**, based upon realistic assumptions about normal conditions and about the purposes of its use.*

The assessment process and the implementing measure shall include, in particular, parameters from amongst those set out in part 2.

Tuesday 20 April 2004

ferentiate tolls according to a vehicle's emission category ('EURO' classification) and the level of damage it causes to roads, the place, the time and the amount of congestion. **The variations in toll rates must not result in an increase in the weighed average toll referred to in Article 7(9).**

- (11) **The** financial burden for the transport sector must not be increased, but distributed differently by replacing fixed taxes and charges by a system of charges related to use. When Member States introduce tolls and/or user charges, they must therefore be able to reduce in particular the rates of annual taxes on vehicles, where appropriate to below the minimum levels provided for in Annex I to Directive 1999/62/EC, **and/or excise duty on motor fuels.**
- (12) **Member States should be allowed to apply reduced rates of vehicle taxes to, or to exempt from such taxes, vehicles used for national defence or civil protection purposes, vehicles used by fire and other emergency services and by the police and by road maintenance services and vehicles used by recognised relief organisations.**
- (13) **In accordance with the principle of subsidiarity, Member States shall decide on the use of revenue from fees for the benefit of road infrastructure.** Consequently, the revenue from fees **should, however,** be used for the benefit of the transport sector **and for improving the entire transport system,** in the interests of the transport network as a whole.
- (14) Particular attention must be devoted to mountain regions such as the Alps or the Pyrenees **and to the zones and agglomerations referred to in Article 8(1) of Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management**⁽¹⁾. The launch of major new infrastructure projects has often failed because the substantial financial resources they would require were not available. In **these** particularly sensitive regions, users must therefore pay a mark-up to finance essential projects of very high European value — **such as priority TENs projects** — including those involving another mode of transport **and network links** in the same corridor **and/or** area; the level of such a mark-up must be proportionate in order to safeguard freedom of movement. This amount must be linked to the financial needs of the project. It should also be linked to the basic value of the tolls in order to avoid artificially high charges in any one corridor, which could lead to traffic being diverted to other corridors, thereby causing local congestion problems and inefficient use of networks.
- (15) Fees must be non-discriminatory and not involve excessive formalities or create barriers at the internal borders. Appropriate measures must therefore be taken to make payment possible at any time and by various means, and to ensure that the electronic payment tool (on-board unit) is as accessible to the occasional user as to the frequent traveller.
- (16) In order to ensure consistent, harmonised application of the infrastructure charging system, Member States will have to set the level of tolls with the aid of a common methodology to take account of the various costs which should be covered. **The Commission should develop principles for calculating tolls, based on scientifically recognised data, which will open the way for full internalisation of external costs.**
- (17) **Further** technical progress is still needed to develop the system of charging for the use of road infrastructure. There must be a procedure allowing the Commission to adapt the requirements of Directive 1999/62/EC to technical progress following consultation of the Member States for this purpose. The measures necessary to implement this Directive must 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⁾.

⁽¹⁾ OJ L 296, 21.11.1996, p. 55. Directive as amended by European Parliament and Council Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

Tuesday 20 April 2004

- (18) Given that the objectives of the proposed action, namely to harmonise the conditions applicable to tolls and user charges for the use of road infrastructure, cannot be satisfactorily achieved by the Member States and may therefore be better achieved at Community level by reason of their European dimension and with a view to safeguarding the internal transport market, the Community can take measures, in accordance with the principle of subsidiarity enshrined in Article 5 of the Treaty. In accordance with the principle of proportionality set out in that Article, this Directive does not exceed what is necessary to achieve those objectives.
- (19) ***If the objective of fair charging is to be achieved, account must be taken of the system of road infrastructure concessions or equivalent solutions existing in the Member States (for roads, motorways, tunnels and bridges) since, on networks where concessions are in operation, HGVs already pay their external costs in line with the 'user pays' principle, where the concessions in question are public-private partnerships (PPPs) subject to the rules of free competition,***

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 1999/62/EC is amended as follows:

1) Article 2 is amended as follows:

(a) point (a) is replaced by the following text:

‘(a) ‘trans-European network’ means the road network defined in Section 2 of Annex I to Decision No 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network (*) as illustrated by maps. The maps refer to the corresponding sections mentioned in the operative part and/or in Annex II to this Decision;

(*) OJ L 228, 9.9.1996, p. 1. Decision as last amended by Decision No 1346/2001/EC (OJ L 185, 6.7.2001, p. 1).’

(b) the following points (aa) and (ab) are inserted:

‘(aa) ‘main road network’ means the trans-European road network and any other road to which traffic may be diverted from the trans-European road network and which is in direct competition with certain parts of that network;

(ab) ‘construction costs’ means the costs related to construction, including; where appropriate, the cost of the interest on the capital invested, ***as regards the portion not yet amortised by the date of entry into force of this Directive; construction costs should, in any case, not exceed the current costs of reconstructing the infrastructure concerned;***

(c) in point (b), the phrase ‘the amount shall be based on the distance travelled and the type of vehicle’ is replaced by ‘the amount shall be based on the distance travelled and the corresponding costs per kilometre’;

(d) ***the following point (ba) is inserted:***

‘(ba) the ‘weighted average toll’ shall be calculated in accordance with the criteria set out in Article 7(9), with reference to the road infrastructure concerned, on the basis of the cost per kilometre. This weighted average toll must be determined by the competent authority in each Member State.’

(e) points (d) and (e) are replaced by the following text:

‘(d) ‘vehicle’ means a motor vehicle or articulated vehicle combination intended or used for the carriage by road of goods and having a maximum permissible laden weight of over 3.5 tonnes;

(e) vehicle of the ‘EURO 0’, ‘EURO I’, ‘EURO II’, ‘EURO III’, ‘EURO IV’, ‘EURO V’ category means a vehicle that complies with the emission limits set out in Annex 0 to this Directive’

Tuesday 20 April 2004

ANNEX II

METHOD FOR SETTING THE LEVEL
OF SPECIFIC ECO-DESIGN REQUIREMENTS

Specific eco design requirements aim at improving a selected environmental aspect of the product. They may take the form of requirements for reduced consumption of a given resource, such as limits for the use of this resource in the various stages of the life cycle, as appropriate (e.g. limits in the water consumption in the use phase or in the quantities of a given material incorporated in the product or minimum required quantities of recycled material).

In order to select the environmental aspects for an implementing measure, an assessment of all the environmental aspects of a representative EuP model throughout its lifecycle shall be performed, based upon realistic assumptions about normal conditions and about its proposed use.

The assessment process and the implementing measure shall include, in particular, parameters from amongst those set out in part 2 of Annex I.

The assessment shall concentrate on and give priority to those factors which are capable of being influenced through product design.

Given the urgency of the need for energy efficiency measures, steps shall be taken to establish specific design requirements directly, independently of the other environmental aspects under evaluation.

For aspects chosen for an implementing measure other than energy consumption in use, the independent body of experts, with the co-operation of manufacturers providing data, will establish the ecological profile of the state of the art in eco-design. That profile shall be based on environmentally relevant product characteristics and inputs/outputs occurring throughout the product life cycle, expressed in physical quantities that can be measured.

The level of a specific eco-design requirement for a given EuP shall be set as follows:

1. A technical and economic analysis selects a number of representative models of the EuP in question on the market and identifies the technical options for improving the environmental performance of the product, keeping sight of the economic viability of the options and avoiding any significant loss of performance or of usefulness for consumers.

On the basis of this analysis and taking into account potential for improvement, **specific requirements shall be established** with a view to **minimising** the product's environmental impact.

Concerning energy consumption in use, **specific eco-design requirements shall be established at either the level of the best performing product available on the market or at the level of the lowest life-cycle cost.**

For the purposes of identifying that level, an analysis shall be performed by an analyst or a group of analysts chosen for their competence in the field, but independent from interested parties.

A number of representative models of the EuP in question on the market shall be selected.

Tuesday 20 April 2004

From this selection:

- (a) the best-performing model available on the market shall be identified and the energy in-use consumption requirement shall be adapted accordingly, specifying the adaptation time frame; or*
- (b) a base-case model shall be identified among the least efficient ones vis-à-vis the specific eco-design requirement (depending on the specificity of certain markets and the service provided to the end-user, several base-case models may be considered). The technical options for improving the environmental performance of the product shall be listed as exhaustively as possible. These technical options for improving the specific resource performance of the EuP shall guarantee that all other performances and amenities for the consumer are at least maintained or at best improved.*

The cost over the life-time of the EuP, known as the life cycle cost, is the sum of the purchase price and the discounted running cost over a realistic life-time for the EuP. The discount rate used shall provided by the European financial authorities.

For each technical option, the life-cycle cost shall be calculated and compared with the life-cycle of the base-case model. Technical options presenting a lower life-cycle cost compared to the base-case one shall be combined, provided that they are compatible. The combination of technical options that present the lowest life-cycle cost of all shall be identified and called the minimum life-cycle cost. The performance of the EuP corresponding to this minimum determines the specific eco-design requirement to be reached as, at this point, the technical improvements are cost-effective to the end-users and therefore to society, which benefits from a lowering of external environmental costs.

In the process of setting minimum efficiency standards, a value for carbon dioxide emissions avoided should also be taken into account. The value for the carbon dioxide emissions avoided shall be determined by the Commission and be regularly updated. External costs of carbon dioxide emissions may be included in the base-case calculation.

A similar methodology could be applied to other resources such as water.

2. The level of the specific eco-design requirement can be set by using evidence available in the framework of other Community activities including regulation (EC) No 1980/2000, Directive 92/75/EEC and Regulation (EC) No 2422/2001 on energy labelling of office equipment.

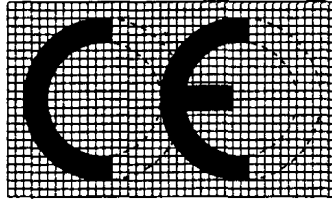
Evidence available from existing programs applied in other parts of the world can be used for setting the specific eco-design requirement of EuP traded with the EU's economic partners.

3. In principle, the setting of a specific eco-design requirement shall not have as a consequence that a proprietary technology is imposed to manufacturers. When the requirement would imply that a significant proportion of models currently produced would be removed from the market, the date of entry into force of the requirement shall take the redesign cycle for the product into account.

Tuesday 20 April 2004

ANNEX III

CE MARKINGS



The CE marking must have a height of at least 5 mm. If the CE marking is reduced or enlarged the proportions given in the above graduated drawing must be respected.

The CE marking must be affixed to the EuP. Where this is not possible, it must be affixed to the packaging and to the accompanying documents.

The Commission shall draw up a report on manufacturers' and distributors' compliance with the relevant standards and shall authorise them to affix the CE marking to their products.

That report shall be forwarded to the European Parliament, the Council and the parties concerned, at all events before the application by the Member States of the provisions of this Directive and before implementation by way of special measures.

ANNEX IV

INTERNAL DESIGN CONTROL

1. This module describes the procedure whereby the manufacturer or its authorised representative who carries out the obligations laid down in section 2 of this Annex ensures and declares that EuP satisfies the relevant provisions of the applicable implementing measure. The manufacturer, or its authorised representative, must affix the CE marking provided for in Article 4 to each item of EuP and draw up a written declaration of conformity. The declaration of conformity may cover one or more products and must be kept by the manufacturer.

2. A technical documentation file enabling an assessment of the conformity of the EuP with the requirements of the applicable implementing measure, ***under conditions of general normal use and end-of-life management in accordance with applicable rules.***

The documentation shall specify, in particular:

- (a) a general description of the EuP and of its intended use,
- (b) the results of relevant environmental assessment studies carried out by the manufacturer, and/or references to environmental assessment literature or case studies, which are used by the manufacturer in determining product design solutions,
- (c) the ecological profile of the ***product group, as laid down in the implementing measures,***
- (d) elements of the product design specification relating to environmental design aspects of the product,
- (e) a list of the appropriate documents referred to in Article 9, applied in full or in part, and a description of the solutions adopted to meet the requirements of the applicable implementing measure where the documents referred to in Article 9 have not been applied or where these documents do not cover entirely the requirements of the applicable implementing measure,

Tuesday 20 April 2004

- (f) a copy of the information concerning the environmental design aspects of the product which is provided in accordance with the requirements specified in Annex I, part 3,
 - (g) the results of measurements on the eco-design requirements carried out including details of the conformity of these measurements as compared with the eco-design requirements set out in the applicable implementing measure.
3. The manufacturer must take all measures necessary to ensure that the product will be manufactured in compliance with the design specifications referred to in section 2 and with the requirements of the measure which apply to it.

Where the manufacturer is not established in the Community and there is no authorised representative, the Importer shall be under an obligation to ensure that the manufacturer has fulfilled its obligations and made available to him the declaration of conformity and the technical documentation.

ANNEX V

DECLARATION OF CONFORMITY

The EC declaration of conformity must contain the following particulars:

1. The name and address of the manufacturer or of its authorised representative; ***where the manufacturer is not established in the Community and there is no authorised representative, the name of the Importer must be recorded;***
2. A description of the model sufficient for unambiguous identification;
3. Where appropriate, the references of the harmonized standards applied;
4. Where appropriate, the other technical standards and specifications used;
5. Where appropriate, the reference of other Community legislation providing for the affixing of the CE mark that is applied.
6. Identification and signature of the person empowered to bind the manufacturer or its authorised representative.

ANNEX VI

CONTENTS OF THE IMPLEMENTING MEASURES

The implementing measure shall specify, in particular:

1. The exact definition of the type(s) of EuP covered;
2. The eco-design requirement(s) for the EuP covered, implementing date(s), any staged or transitional measure;
 - in case of generic eco-design requirement(s) the relevant parameters among those mentioned in Annex I, part 2;
 - in case of specific eco-design requirement(s), its (their) level(s);
3. The requirements on installation of the EuP where it has a direct relevance to the environmental performance considered;
4. The measurement standards and/or measurement methods to be used; when available, harmonised standards the reference numbers of which have been published in the Official Journal of the European Union shall be used.

Tuesday 20 April 2004

- 5 The details for conformity assessment under Decision 93/465/EEC
- where the module(s) to be applied is (are) different from Module A; the factors leading to the selection of that specific procedure;
 - where relevant the criteria for approval and/or certification of the third parties.

Where different modules are laid down in other CE requirements for the same EuP, the module defined in the implementing measure shall prevail for the requirement concerned;

6. Requirements on data to be provided by manufacturers, ***their authorised representatives or Importers*** to the authorities for enhanced monitoring of compliance, ***where there is a serious doubt as to compliance and/or whenever non-compliance is investigated/notified.***
7. The duration of the transitional period during which Member States must permit the placing on the market of EuP which comply with the ***requirements*** in force in their territory at the date of adoption of the implementing measure.

ANNEX VII

MINIMUM ELIGIBILITY CRITERIA FOR SELF-REGULATORY INITIATIVES IN THE CONTEXT OF THIS DIRECTIVE

1. Basic Legal Requirements

Self-regulatory initiatives shall comply with all provisions of the Treaty (in particular internal market and competition rules), as well as with the international engagements of the Community, including multilateral trade rules.

Third country operators may participate in self-regulatory initiatives both in the preparatory and in the implementation phases.

2. Added Value

Self-regulatory initiatives shall deliver added value (more than 'business as usual') in terms of the improved overall environmental performance of the EuP covered.

3. Representativeness

Industry and their associations taking part in a self-regulatory action shall represent a large majority of the relevant economic sector, with as few exceptions as possible. Care shall be taken to ensure respect for competition rules.

4. Quantified and Staged Objectives

The objectives defined by the stakeholders shall be set in clear and unambiguous terms, starting from a well-defined baseline. If the self-regulatory initiative covers a long time-span, interim targets shall be included. It must be possible to monitor compliance with objectives and (interim) targets in an affordable and credible way using clear and reliable indicators. Research information, scientific and technological background data shall facilitate the development of these indicators.

Tuesday 20 April 2004

5. Involvement of civil society

With a view to ensuring transparency, self-regulatory initiatives shall be publicised, including through the use of the internet and other electronic means of disseminating information.

The same shall apply to interim and final monitoring reports. Stakeholders – namely industry, environmental NGOs and consumers associations – shall have the right to comment on a self-regulatory initiative.

6. Monitoring and reporting

Self-regulatory initiatives shall contain a well-designed monitoring system, with clearly identified responsibilities for industry and independent inspectors. The Commission services, in partnership with the parties to the self-regulatory initiative, shall be invited to monitor the achievement of the objectives.

The plan for monitoring and reporting shall be detailed, transparent and objective. It shall remain for the Commission services, assisted by the Committee referred to in Article 21, to consider whether the underlying objectives have been met.

7. Cost-effectiveness of Administering a Self-regulatory Initiative

The cost of administering self-regulatory initiatives, in particular as regards monitoring, shall not lead to a disproportionate administrative burden, as compared to their objectives and to other available policy instruments.

8. Sustainability

Self-regulatory initiatives shall respond to the policy objectives of this Directive including the integrated approach and shall be consistent with the economic and social dimensions of sustainable development. The protection of consumers' interests (health, quality of life and economic interests) shall be integrated.

9. Incentive compatibility

Self-regulatory initiatives are unlikely to deliver the expected results if other factors and incentives – market pressure, taxes, and legislation at national level – send contradictory signals to participants in the commitment. Policy consistency is essential in this regard and shall be taken into consideration when assessing the effectiveness of the initiative.

P5_TA(2004)0303

Greenhouse gas emission allowance trading *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending the Directive establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms (COM(2003) 403 – C5-0355/2003 – 2003/0173(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 403) ⁽¹⁾,
- having regard to Articles 251(2) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0355/2003),

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

- 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 and the opinion of the Committee on Industry, External Trade, Research and Energy (A5-0154/2004),
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.

P5_TC1-COD(2003)0173

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Directive 2004/.../EC of the European Parliament and of the Council amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms

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,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

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

Whereas:

- (1) Directive 2003/87/EC ⁽³⁾ establishes a scheme for greenhouse gas emission allowance trading within the Community ('the Community scheme') in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner, recognising that, in the longer-term, global emissions of greenhouse gases will need to be reduced by approximately 70 % compared to 1990 levels. It aims at contributing towards fulfilling the commitments of the Community and its Member States to reduce anthropogenic greenhouse gas emissions under 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 ⁽⁴⁾.
- (2) Directive 2003/87/EC/ states that, the recognition of credits from project-based mechanisms for fulfilling obligations as from 2005 will increase the cost-effectiveness of achieving reductions of global greenhouse gas emissions and shall be provided for by provisions for linking the Kyoto project-based mechanisms, including Joint Implementation (JI) and the Clean Development Mechanism (CDM), with the Community scheme.

⁽¹⁾ OJ C 80, 30.3.2004, p. 61.

⁽²⁾ Position of the European Parliament of 20 April 2004.

⁽³⁾ OJ L 275, 25.10.2003, p. 32.

⁽⁴⁾ OJ L 130, 15.5.2002, p. 1.

Tuesday 20 April 2004

- (3) Linking the Kyoto project-based mechanisms to the Community scheme, while safeguarding the latter's environmental integrity, gives the opportunity to use emission credits generated through project activities eligible under Articles 6 and 12 of the Kyoto Protocol in order to fulfil Member States' obligations under Article 12(3) of Directive 2003/87/EC. As a result, this will increase the diversity of low cost compliance options within the Community scheme leading to a reduction of the overall costs of compliance with the Kyoto Protocol while improving the liquidity of the Community market in greenhouse gas emission allowances. By stimulating demand for JI credits Community companies will invest in the development and transfer of advanced environmentally sound technologies and know-how. The demand for CDM credits will also be stimulated and thus developing countries hosting CDM projects will be assisted in achieving their sustainable development goals.
- (4) In addition to the use of the Kyoto project-based mechanisms by the Community and its Member States, and by companies and individuals outside the Community scheme, those mechanisms should be linked to the Community scheme in such a way as to ensure consistency with the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol and subsequent decisions adopted thereunder as well as with the objectives and architecture of the Community scheme and provisions laid down by Directive 2003/87/EC.
- (5) Member States may allow operators to use, in the Community scheme, certified emission reductions (CERs) from 2005 and emission reduction units (ERUs) from 2008. The use of CERs and ERUs by operators from 2008 may be allowed up to a percentage of the allocation to each installation, to be specified by each Member State in its national allocation plan. The use will take place through the issue and immediate surrender of one allowance in exchange for one CER or ERU. An allowance issued in exchange for a CER or ERU will correspond to that CER or ERU.
- (6) The Commission Regulation for a standardised and secured system of registries, to be adopted pursuant to Article 19(3) of Directive 2003/87/EC and Article 6(1) of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol⁽¹⁾, will provide for the relevant processes and procedures in the registries system for the use of CERs during the period 2005-2007 and subsequent periods, and for the use of ERUs during the period 2008-2012 and subsequent periods.
- (7) Each Member State will decide its own limit for the use of CERs and ERUs from project activities, having due regard to the relevant provisions of the Kyoto Protocol and the Marrakesh Accords, to meet the requirements therein that use of the mechanisms should be supplemental to domestic action. Domestic action will thus constitute a significant element of the effort made.
- (8) In accordance with the UNFCCC and the Kyoto Protocol and subsequent decisions adopted thereunder, Member States are to refrain from using CERs and ERUs generated from nuclear facilities to meet their commitments under Article 3 (1) of the Kyoto Protocol and under Decision 2002/358/EC.
- (9) Decisions 15/CP.7 and 19/CP.7 adopted pursuant to the UNFCCC and the Kyoto Protocol emphasise that environmental integrity is to be achieved, inter alia, through sound modalities, rules and guidelines for the mechanisms, and through sound and strong principles and rules governing land use, land-use change and forestry activities, and that the issues of non-permanence, additionality, leakage, uncertainties and socio-economic and environmental impacts, including impacts on biodiversity and natural ecosystems, associated with afforestation and reforestation project activities are to be taken into account. The Commission should consider, in its review of Directive 2003/87/EC in 2006, tech-

⁽¹⁾ OJ L 49, 19.2.2004, p. 1.

Tuesday 20 April 2004

nical provisions relating to the temporary nature of credits and the limit of 1 % for eligibility for land use, land-use change and forestry project activities as established in Decision 17/CP.7, and also provisions relating to the outcome of the evaluation of potential risks associated with the use of genetically modified organisms and potentially invasive alien species in afforestation and reforestation project activities, to allow operators to use CERs and ERUs resulting from land use, land use change and forestry project activities in the Community scheme from 2008, in accordance with the decisions adopted pursuant to the UNFCCC or the Kyoto Protocol.

- (10) In order to avoid double counting, CERs and ERUs should not be issued as a result of project activities undertaken within the Community that also lead to a reduction in, or limitation of, emissions from installations covered by Directive 2003/87/EC, unless an equal number of allowances are cancelled from the registry of the Member State of the CERs' or ERUs' origin.
- (11) In accordance with the relevant Treaties of Accession, the *acquis communautaire* should be taken into account in the establishment of baselines for project activities undertaken in countries acceding to the Union.
- (12) Any Member State that authorises private or public entities to participate in project activities remains responsible for the fulfilment of its obligations under the UNFCCC and the Kyoto Protocol and should therefore ensure that such participation is consistent with the relevant guidelines, modalities and procedures adopted pursuant to the UNFCCC or the Kyoto Protocol.
- (13) In accordance with the UNFCCC, the Kyoto Protocol and subsequent decisions adopted for their implementation, the Commission and the Member States should support capacity building activities in developing countries and countries with economies in transition in order to help them take full advantage of JI and the CDM in a manner that supports their sustainable development strategies. The Commission should review and report on efforts in this regard.
- (14) Criteria and guidelines that are relevant to considering whether hydro-electric power production projects have negative environmental and social impacts have been identified by the World Commission on Dams in its November 2000 Report 'Dams and Development — A New Framework for Decision-Making', by the OECD and by the World Bank.
- (15) Since participation in JI and CDM project activities is voluntary, corporate environmental and social responsibility and accountability should be enhanced in accordance with paragraph 17 of the Plan of Implementation of the World Summit on Sustainable Development. In this connection, companies should be encouraged to improve the social and environmental performance of JI and CDM activities in which they participate.
- (16) Information on project activities in which a Member State participates or authorises private or public entities to participate should be made available to the public in accordance with Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information⁽¹⁾.
- (17) The Commission may mention impacts on the electricity market in its reports on emission allowance trading and the use of credits from project activities.
- (18) Following entry into force of the Kyoto Protocol, the Commission should examine whether it could be possible to conclude agreements with countries listed in Annex B to the Kyoto Protocol which have yet to ratify the Protocol, to provide for the recognition of allowances between the Community scheme and mandatory greenhouse gas emissions trading schemes capping absolute emissions established within those countries.
- (19) Since the objective of the proposed action, namely the establishment of a link between the Kyoto project-based mechanisms and the Community scheme, cannot be sufficiently achieved by the Member States acting individually, and can therefore by reason of the scale and effects of this Directive 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.
- (20) Directive 2003/87/EC should therefore be amended accordingly,

⁽¹⁾ OJ L 41, 14.2.2003, p. 26.

Tuesday 20 April 2004

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 2003/87/EC

Directive 2003/87/EC is hereby amended as follows:

1) In Article 3, the following points shall be added:

- (k) 'Annex I Party' means a Party listed in Annex I to the United Nations Framework Convention on Climate Change (UNFCCC) that has ratified the Kyoto Protocol, as specified in Article 1(7) of the Kyoto Protocol;
- (l) 'project activity' means a project activity approved by one or more Annex I Parties in accordance with Article 6 or Article 12 of the Kyoto Protocol and the decisions adopted pursuant to the UNFCCC or the Kyoto Protocol;
- (m) 'emission reduction unit' or 'ERU' means a unit issued pursuant to Article 6 of the Kyoto Protocol and the decisions adopted pursuant to the UNFCCC or the Kyoto Protocol;
- (n) 'certified emission reduction' or 'CER' means a unit issued pursuant to Article 12 of the Kyoto Protocol and the decisions adopted pursuant to the UNFCCC or the Kyoto Protocol.'

2) The following Articles shall be inserted after Article 11:

'Article 11a

Use of CERs and ERUs from project activities in the Community scheme

1. Subject to paragraph 3, during each period referred to in Article 11(2), Member States may allow operators to use CERs and ERUs from project activities in the Community scheme up to a percentage of the allocation of allowances to each installation, to be specified by each Member State in its national allocation plan for that period. This shall take place through the issue and immediate surrender of one allowance by the Member State in exchange for one CER or ERU held by the operator in the national registry of its Member State.

2. Subject to paragraph 3, during the period referred to in Article 11(1), Member States may allow operators to use CERs from project activities in the Community scheme. This shall take place through the issue and immediate surrender of one allowance by the Member State in exchange for one CER. Member States shall cancel CERs that have been used by operators during the period referred to in Article 11(1).

3. All CERs and ERUs that are issued and may be used in accordance with the UNFCCC and the Kyoto Protocol and subsequent decisions adopted thereunder may be used in the Community scheme

- (a) except that, in recognition of the fact that, in accordance with the UNFCCC and the Kyoto Protocol and subsequent decisions adopted thereunder, Member States are to refrain from using CERs and ERUs generated from nuclear facilities to meet their commitments under Article 3(1) of the Kyoto Protocol and under Decision 2002/358/EC, operators are to refrain from using CERs and ERUs generated from such facilities in the Community scheme during the period referred to in Article 11(1) and the first five-year period referred to in Article 11(2); and
- (b) except for CERs and ERUs from land use, land-use change and forestry activities.

Tuesday 20 April 2004

Article 11b

Project activities

1. Member States shall take all necessary measures to ensure that baselines for project activities, as defined by subsequent decisions adopted under the UNFCCC or the Kyoto Protocol, undertaken in countries having signed a Treaty of Accession with the Union fully comply with the *acquis communautaire*, including the temporary derogations set out in that Treaty of Accession.

2. Except as provided for in paragraphs 3 and 4, Member States hosting project activities shall ensure that no ERUs or CERs are issued for reductions or limitations of greenhouse gas emissions from installations falling within the scope of this Directive.

3. Until 31 December 2012, for JI and CDM project activities which reduce or limit directly the emissions of installations falling within the scope of this Directive, ERUs and CERs may only be issued if an equal number of allowances are cancelled by the operator of that installation.

4. Until 31 December 2012, for JI and CDM project activities which reduce or limit indirectly the emission level of installations falling within the scope of this Directive, ERUs and CERs may only be issued if an equal number of allowances are cancelled from the national registry of the Member State of the ERUs' or CERs' origin.

5. A Member State that authorises private or public entities to participate in project activities shall remain responsible for the fulfilment of its obligations under the UNFCCC and the Kyoto Protocol and shall ensure that such participation is consistent with the relevant guidelines, modalities and procedures adopted pursuant to the UNFCCC or the Kyoto Protocol.

6. In the case of hydro-electric power production project activities with a generating capacity exceeding 20MW, Member States shall, when approving such project activities, ensure that relevant international criteria and guidelines, including those contained in the World Commission on Dams November 2000 Report 'Dams and Development — A New Framework for Decision-Making', will be respected during the development of such project activities.

7. Provisions for the implementation of paragraphs 3 and 4, particularly in respect of the avoidance of double counting, and any provisions necessary for the implementation of paragraph 5 where the host party meets all eligibility requirements for JI project activities shall be adopted in accordance with Article 23(2).'

- 3) Article 17 shall be replaced by the following:

'Article 17

Access to information

Decisions relating to the allocation of allowances, information on project activities in which a Member State participates or authorises private or public entities to participate, 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 in accordance with Directive 2003/4/EC.'

- 4) In Article 18 the following subparagraph shall be added:

'Member States shall in particular ensure coordination between their designated focal point for approving project activities pursuant to Article 6 (1)(a) of the Kyoto Protocol and their designated national authority for the implementation of Article 12 of the Kyoto Protocol respectively designated in accordance with subsequent decisions adopted under the UNFCCC or the Kyoto Protocol.'

Tuesday 20 April 2004

- 5) In paragraph 3 of Article 19 the following sentence shall be added:

‘That Regulation shall also include provisions concerning the use and identification of CERs and ERUs in the Community scheme and the monitoring of the level of such use.’

- 6) Article 21 is amended as follows:

- (a) In paragraph 1 the second sentence shall be replaced by the following:

‘This report shall pay particular attention to the arrangements for the allocation of allowances, the use of ERUs and CERs in the Community scheme, the operation of registries, the application of the monitoring and reporting guidelines, verification and issues relating to compliance with the Directive and the fiscal treatment of allowances, if any.’

- (b) Paragraph 3 shall be replaced by the following:

‘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 use of ERUs and CERs in the Community scheme, the operation of registries, monitoring, reporting, verification and compliance with this Directive.’

- 7) The following Article shall be inserted after Article 21:

‘Article 21a

Support of capacity building activities

In accordance with the UNFCCC, the Kyoto Protocol and any subsequent decision adopted for their implementation, the Commission and the Member States shall endeavour to support capacity building activities in developing countries and countries with economies in transition in order to help them take full advantage of JI and the CDM in a manner that supports their sustainable development strategies and to facilitate the engagement of entities in JI and CDM project development and implementation.’

- 8) Article 30 shall be amended as follows:

- (a) In paragraph 2, point (d) shall be replaced by the following:

‘(d) the use of credits from project activities, including the need for the harmonisation of the allowed use of ERUs and CERs in the Community scheme;’

- (b) in paragraph 2 the following points shall be added:

‘(l) the impact of project mechanisms on host countries, particularly on their development objectives, whether JI and CDM hydro-electric power production projects activities with a generating capacity exceeding 500 MW and having negative environmental and or social impacts have been approved, and the future use of CERs or ERUs resulting from any such hydro-electric power production project activities in the Community scheme;

(m) the support for capacity building efforts in developing countries and countries with economies in transition;

(n) the modalities and procedures for Member States’ approval of domestic project activities and for the issuing of allowances in respect of emission reductions or limitations resulting from such activities from 2008 onwards;

Tuesday 20 April 2004

- (o) technical provisions relating to the temporary nature of credits and the limit of 1 % for eligibility for land use, land-use change and forestry project activities as established in Decision 17/CP.7, and provisions relating to the outcome of the evaluation of potential risks associated with the use of genetically modified organisms and potentially invasive alien species by afforestation and reforestation project activities, to allow operators to use CERs and ERUs resulting from land use, land-use change and forestry project activities in the Community scheme from 2008, in accordance with the decisions adopted pursuant to the UNFCCC or the Kyoto Protocol.'
- (c) paragraph 3 shall be replaced by the following:

'In advance of each period referred to in Article 11(2), each Member State shall publish in its national allocation plan its intended use of ERUs and CERs and the percentage of the allocation to each installation up to which operators are allowed to use ERUs and CERs in the Community scheme for that period. The total use of ERUs and CERs shall be consistent with the relevant supplementarity obligations under the Kyoto Protocol and the UNFCCC and the decisions adopted thereunder.

Member States shall, in accordance with Article 3 of Decision No 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol (^(*)), report to the Commission every two years on the extent to which domestic action actually constitutes a significant element of the efforts undertaken at national level, as well as the extent to which use of the project mechanisms is actually supplemental to domestic action, and the ratio between them, in accordance with the relevant provisions of the Kyoto Protocol and the decisions adopted thereunder. The Commission shall report on this in accordance with Article 5 of the said Decision. In the light of this report, the Commission shall, if appropriate, make legislative or other proposals to complement provisions adopted by Member States so as to ensure that use of the mechanisms is supplemental to domestic action within the Community.

(*) OJ L 49, 19.2.2004, p. 1.'

- 9) In Annex III the following point shall be added:

'12. The plan shall specify the maximum amount of CERs and ERUs which may be used by operators in the Community scheme as a percentage of the allocation of the allowances to each installation. The percentage shall be consistent with the Member State's supplementarity obligations under the Kyoto Protocol and decisions adopted pursuant to the UNFCCC or the Kyoto Protocol.'

Article 2

Implementation

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... (⁽¹⁾). 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 a 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 provision of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof

(⁽¹⁾) 12 months after its entry into force.

Tuesday 20 April 2004

Article 3

Entry into force

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

Article 4

Addressees

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

P5_TA(2004)0304

Batteries and accumulators *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council Directive on batteries and accumulators and spent batteries and accumulators (COM(2003) 723 – C5-0563/2003 – 2003/0282(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 723) ⁽¹⁾,
- having regard to Articles 251(2), 95(1) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0563/2003),
- having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the proposed legal basis,
- having regard to Rules 67 and 63 of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Industry, External Trade, Research and Energy (A5-0265/2004),

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 the OJ.

Tuesday 20 April 2004

P5_TC1-COD(2003)0282**Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC on batteries and accumulators and spent batteries and accumulators**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 95 (1) and 175 (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 Regions⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁽⁴⁾,

Whereas:

- (1) The different national measures concerning batteries and spent batteries should be harmonised in view of the double objective to minimise the impact of batteries and spent batteries on the environment, thus contributing to the protection, preservation and improvement of the quality of the environment and to ensure the smooth functioning of the internal market and avoid distortions of competition in the Community.
- (2) The Commission's Communication on the Review of the Community Strategy for Waste Management of 30 July 1996⁽⁵⁾ established guidelines for future Community waste policy. That Communication stresses the need to reduce the quantities of hazardous substances in waste and points out the potential benefits of Community-wide rules limiting the presence of such substances in products and in production processes. It further states that, where the generation of waste cannot be avoided, that waste should be reused or recovered for its material or energy.
- (3) Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances⁽⁶⁾, has brought about an approximation of the laws of the Member States in this field. However, the objectives of *this Directive* have not been fully attained and the need to revise it was also underlined by the Sixth Community Environment Action Programme⁽⁷⁾, and in Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment⁽⁸⁾. Directive 91/157/EEC should therefore be revised and replaced in the interests of clarity.
- (4) The objective of the provisions on minimum requirements for the collection, treatment and recycling of spent batteries and accumulators and **end-user** information (Chapters IV – VII) is the protection of the environment and the legal basis for those provisions is therefore Article 175(1) of the Treaty. The objective of the provisions relating to product requirements, placing on the marking and labelling in Chapters II, III, VIII and Annex II is to ensure the proper functioning of the internal market and the legal basis for those provisions is therefore Article 95(1) of the Treaty.
- (5) In order to prevent batteries and accumulators from ending up in the environment, and to avoid consumer confusion about the different waste management requirements for different batteries, this Directive should apply to all batteries and accumulators placed on the market in the Community. Such a scope should also ensure economies of scale in collection and recycling, as well as optimal resource saving.

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ OJ C ...

⁽⁴⁾ Position of the European Parliament of 20 April 2004.

⁽⁵⁾ COM(96) 399 final.

⁽⁶⁾ OJ L 78, 26.3.1991, p. 38. Directive amended by Commission Directive 98/101/EC (OJ L 1, 5.1.1999, p. 1).

⁽⁷⁾ OJ L 242, 10.9.2002, p. 1.

⁽⁸⁾ OJ L 37, 13.2.2003, p. 24. Directive as amended by Directive 2003/108/EC (OJ L 345, 31.12.2003, p. 106).

Tuesday 20 April 2004

- (6) Reliable batteries and accumulators are fundamental for the safety of many products, appliances and services and are an essential energy source in our society.
- (7) In order to achieve a high level of protection of human and animal health and of the environment, the marketing of certain batteries and accumulators should be prohibited because of the quantity of heavy metals they **contain**.
- (8) In order to protect the environment, spent batteries and accumulators should be collected. This means setting up collection schemes so that all spent portable batteries and accumulators can be conveniently returned by *end-users* free of charge.
- (9) Member States should be required to achieve a high collection rate for spent batteries and accumulators to ensure that they contribute to the environmental objectives of the Community. To achieve a high level of material **recycling** throughout the Community and prevent disparities between Member States, all Member States should be required to send *collected* spent batteries and accumulators to recycling facilities.
- (10) In the light of the specific environmental and health concerns regarding cadmium, mercury and lead and the particular characteristics of batteries and accumulators containing cadmium, mercury and lead additional measures should be adopted. The use of mercury in batteries should be restricted. Final disposal of automotive and industrial batteries should be prohibited. An additional collection target should be set for portable nickel-cadmium batteries. Moreover, specific recycling requirements should be established for cadmium and lead batteries in order to attain a high level of materials recovery throughout the Community and to prevent disparities between the Member States.
- (11) All interested parties should be able to participate in collection and recycling schemes. Those schemes should be designed to *prevent* discrimination against imported products, barriers to trade and distortions of competition and should guarantee maximum possible returns of spent batteries and accumulators. ***Responsibility for funding the management of historical waste should be shared by all existing producers by way of collective funding schemes to which all producers, existing on the market when the costs occur, contribute proportionately.*** For a transitional period producers should be allowed, on a voluntary basis, *when selling new products, to show purchasers the costs incurred by producers in collecting, treating, and recycling spent portable batteries and accumulators placed onto the market prior to the date of transposition of this Directive.* Producers making use of that provision should ensure that the costs mentioned do not exceed the actual costs incurred.
- (12) Collection and recycling schemes should be optimised, in particular with a view to minimising the negative external costs of transport.
- (13) Basic principles for financing the management of spent batteries and accumulators should be set at Community level. Financing schemes should help to achieve high collection and recycling rates and to implement the producer responsibility principle.
- (14) Holders of spent portable batteries or accumulators should be able to return them free of charge. Producers should therefore finance the collection, treatment and recycling of those deposited at their collection facility. Producers should also finance the collection, treatment and recycling of other spent batteries and accumulators.
- (15) *The provision of information to end-users* on separate collection, the collection schemes available and the ***end-user's*** role in the management of spent batteries and accumulators is necessary for successful collection. Detailed arrangements should be made for a marking system, which should provide the ***end-user*** with transparent, reliable and clear information on the collection of batteries and accumulators and the heavy metals they contain.
- (16) ***End-users should also be informed about the capacity of the batteries they buy so as to be able to make an informed choice.***

Tuesday 20 April 2004

- (17) If, in order to achieve the objectives of this *Directive* *and*, in particular, to achieve high separate collection and recycling rates, Member States use economic instruments, such as differentiated tax rates, they should inform the Commission accordingly.
- (18) Reliable and comparable data on the quantities of batteries and accumulators marketed, collected and recycled are necessary *for monitoring whether* the objective of this Directive have been achieved.
- (19) Member States should lay down rules on the penalties applicable for *infringement* of the provisions of this Directive and ensure that they are implemented. Those penalties must be effective, proportionate and dissuasive.
- (20) 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⁾.
- (21) Since the objectives of this Directive of protecting the environment and ensuring the proper functioning of the internal market cannot be sufficiently achieved by the Member States and can therefore, by *reason* of the scale or effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.
- (22) This Directive applies without prejudice to Community legislation on safety, quality and health requirements and specific Community waste management legislation, in particular Directive 2000/53/EC of the European Parliament and Council of 18 September 2000 on end-of life vehicles ⁽²⁾ and Directive 2002/96/EC.
- (23) As regards producer responsibility, battery producers, ***when identifiable***, become responsible for further treatment *once a battery is removed* from any separately collected *end-of-life* vehicle or waste electrical or electronic equipment.
- (24) Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of hazardous substances in electrical and electronic equipment (RoHS Directive) ⁽³⁾ does not apply to batteries used in electrical and electronic equipment.
- (25) Automotive and industrial batteries used in vehicles should meet the requirements of Directive 2000/53/EC, in particular Article 4 thereof. As regards the use of cadmium in industrial batteries for electrical vehicles, Annex II to Directive 2000/53/EC grants an exemption until 31 December 2005.

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

OBJECTIVE, SCOPE AND DEFINITIONS

Article 1

Objective

The objective of this Directive is, first, the prevention of the use of heavy metals in batteries and accumulators and, in addition, the collection, treatment and recycling of all spent batteries and accumulators in order to prevent the disposal of batteries containing hazardous substances and to promote

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ L 269, 21.10.2000, p. 34. Directive as amended by Commission Decision 2002/525/EC (OJ L 170, 29.6.2002, p. 81).

⁽³⁾ OJ L 37, 13.2.2003, p. 19.

Tuesday 20 April 2004

recycling of the useful substances therein. It is also intended to improve the environmental performance of batteries and accumulators and of the activities of all operators involved in the life cycle of electrical and electronic equipment, such as producers, distributors and consumers and especially operators directly involved in the treatment of waste batteries and accumulators.

Article 2

Scope

1. This Directive shall apply to all types of batteries and accumulators, regardless of their shape, volume, weight, material composition or use, **as well as to the appliances in which they are incorporated in so far as concerns marketing, marking and battery removal requirements.**
2. This Directive shall not apply to batteries and accumulators used in equipment **intended for** military material or in arms and munitions intended for specifically military purposes, **nor to batteries and accumulators used in vehicles and equipment designed to be sent into space.**

Article 3

Definitions

For the purposes of this Directive, the following definitions shall apply:

- 1) 'battery' **or 'accumulator'** means any source of electrical energy generated by direct conversion of chemical energy and consisting of one or more primary battery cells (non-rechargeable) **or consisting of one or more secondary battery cells (rechargeable);**
- 2) '**battery pack**' means any set of batteries or accumulators **that are connected together and may be** encapsulated *within* an outer casing *so as to form a complete unit that* is not intended to be opened by the consumer;
- 3) 'portable battery or accumulator' means a battery or accumulator used in household applications, cordless power tools, emergency lighting and electrical and electronic equipment or other applications by either consumers or professional users;
- 4) '**button cell**' means a small round battery or accumulator whose diameter is greater than its height and which is used for special purposes such as hearing aids, **watches, small portable equipment and back-up power;**
- 5) 'industrial battery or accumulator' means a battery or accumulator used for industrial purposes, for instance as standby or motive power, **which is not a 'portable battery or accumulator' as defined in point 3;**
- 6) 'automotive battery or accumulator' means a battery or accumulator used for automotive starter, lighting or ignition power for vehicles;
- 7) 'spent battery or accumulator' means a battery or accumulator which is waste within the meaning of Article 1 (a) of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽¹⁾;
- 8) 'recycling' means the reprocessing in a production process of waste materials for the *original purposes*, but excluding energy recovery, **which means the use of combustible waste as a means of generating energy through direct incineration with or without other waste but with recovery of heat;**
- 9) 'disposal' means any of the applicable operations provided for in Annex IIA to Directive 75/442/EEC;

⁽¹⁾ OJ L 194, 25.7.1975, p. 39. Directive amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

Tuesday 20 April 2004

- 10) 'treatment' means any treatment, **in preparation for recycling, recovery or disposal**, of spent batteries and accumulators after they have been handed over to a facility **and includes sorting, disassembly, decanting and so on**;
- 11) 'appliance' means any electrical or electronic equipment as defined by Directive 2002/96/EC which is fully or partly powered by batteries or accumulators or is capable of being so;
- 12) 'producer' means any person who, irrespective of the selling technique used, including by means of distance communication *in accordance with Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts*:⁽¹⁾
- (a) manufactures and sells batteries or accumulators under his own brand **or incorporated into appliances**;
 - (b) resells under his own brand **or incorporated into appliances batteries or accumulators produced by a supplier who cannot be identified**;
 - or
 - (c) imports or exports batteries, accumulators or appliances on a professional basis into **the Community market**;
- 13) '**distributor**' means any person who provides batteries and accumulators on a commercial basis to end-users;
- 14) 'closed loop system' means a system in which a spent battery or accumulator is taken back by a producer or a third party acting **either independently or on the producer's** behalf, in order to recycle its secondary raw materials, *for reuse* in the manufacturing of new products.

CHAPTER II

PRODUCT REQUIREMENTS

Article 4

Prevention

1. **Without prejudice to Directive 2000/53/EC**, Member States shall prohibit the marketing of all batteries and accumulators, whether or not incorporated into appliances, which contain more than:
- (a) **5 ppm of mercury**,
 - (b) **40 ppm of lead, and/or**
 - (c) **20 ppm of cadmium**.
2. **Paragraph 1 shall not apply to the applications listed in Annex III.**
3. **On the basis of a proposal from the Commission, the European Parliament and the Council shall adapt Annex III to technical progress, further restricting the list of exemptions in Annex III, if the use of mercury, cadmium or lead in the applications listed therein becomes avoidable because alternatives exist on the market.**

Article 5

Increased environmental performance

Member States shall promote research **and encourage producers to improve** the overall environmental performance of batteries and accumulators throughout their entire life-cycle, and **shall encourage the development and** marketing of batteries and accumulators which contain smaller quantities of dangerous substances or which contain less polluting substances, in particular, substitutes for mercury, cadmium and lead.

⁽¹⁾ OJ L 144, 4.6.1997, p. 19. Directive as amended by Directive 2002/65/EC (OJ L 271, 9.10.2002, p. 16).

Tuesday 20 April 2004

Member States shall promote research and development in these fields to support these objectives.

Member States shall ensure that batteries and accumulators cannot be incorporated into appliances unless they can be readily removed, when spent, by the end-user. This provision shall not apply to the categories of appliance included in Annex III. All appliances in which batteries and accumulators are incorporated shall be accompanied by instructions showing how they can be removed safely and, where appropriate, informing the user of the content of the incorporated batteries and accumulators.

Article 6

Heavy metal-free fuel cells

Member States may prohibit the marketing of accumulators containing heavy metals where heavy metal-free fuel cells are available

CHAPTER III

PLACING ON THE MARKET

Article 7

Placing on the market

1. Member States shall not impede, prohibit or restrict the placing on the market in their territory of batteries or accumulators that meet the requirements of this Directive.
2. Member States shall take the necessary measures to ensure that batteries or accumulators which do not meet the requirements of this Directive are not placed on the market or are withdrawn from it.

CHAPTER IV

COLLECTION

Article 8

Promotion of a closed loop system

Member States shall take the necessary measures to prevent the final disposal of spent batteries and accumulators and **to achieve** a closed loop system for all spent batteries and accumulators **the use of which is not prohibited by Article 4.**

Article 9

Collection schemes

1. Member States shall ensure that:
 - (a) schemes are set up under which spent portable batteries and accumulators can be **collected individually from end-users or from an accessible place in their vicinity** free of charge **where not collected under the schemes referred to in Article 5(1) of Directive 2002/96/EC;**
 - (b) **end-users deliver their spent batteries and accumulators to the collection facilities mentioned in point (a);**

Tuesday 20 April 2004

- (c) producers **or distributors** of industrial batteries and accumulators, or third parties acting on their behalf, take back from end-users spent industrial batteries and accumulators, regardless of chemical composition and origin;
- (d) producers **or distributors** of automotive batteries and accumulators, **distributors**, or third parties acting on their behalf, set up schemes for the collection of spent automotive batteries and accumulators **from end users or from an accessible place in their vicinity**, where not collected under the schemes referred to in Article 5(1) of Directive 2000/53/EC.

2. Member States shall ensure that, when setting up the collection schemes, the negative external impacts of transport are taken into account.

3. Member States shall set up minimum deposit schemes for batteries with a low collection rate and batteries containing hazardous substances.

The level of the deposit may vary depending on the risk potential of the substances contained.

Article 10

Individual or collective schemes

Without prejudice to Article 9, Member States shall allow producers to set up individual or collective take-back schemes for spent batteries and accumulators, provided that those schemes are in conformity with this Directive.

Article 11

Final disposal

Member States shall ensure that, where the mercury, lead or cadmium parts of batteries and accumulators cannot, after processing, be recycled into new batteries, such parts are finally disposed of in dedicated landfill cells in authorised hazardous waste landfills, with appropriate environmental protection guarantees.

Article 12

Economic instruments

If Member States use economic instruments in order to promote the collection of spent batteries and accumulators or to promote the use of batteries containing less polluting substances, for instance by adopting differential tax rates, they shall notify the measures *relating* to the implementation of those instruments to the Commission.

Article 13

Collection targets

1. No later than four years after the date referred to in Article 32(1), Member States shall achieve a minimum average collection rate equivalent to **50 % of the national annual sales two years earlier of all portable batteries and accumulators including portable nickel-cadmium batteries.**

No later than six years after the date referred to in Article 32(1), Member States shall achieve a minimum average collection rate equivalent to 60 % of national annual sales two years earlier of all portable batteries and accumulators, including portable nickel-cadmium batteries.

Tuesday 20 April 2004

2. A report on **collection** shall be drawn up on the basis of Table 2 in Annex I. Without prejudice to Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics ⁽¹⁾, Member States shall *draw up* the report every year, starting one year after the date referred to in Article 32(1) and covering the whole of each calendar year. It shall be transmitted to the Commission no later than six months after the end of the year *in question*.

3. **No later than six years after the date referred to in Article 32(1), the Commission shall make a proposal in accordance with Article 251 of the Treaty to increase the collection targets.**

Article 14

Specific extensions and adaptations

1. Member States may apply for an extension of the deadline *for reaching* the collection targets referred to in Article 13 of up to a maximum of 36 months, for reasons *relating* to specific geographical circumstances such as a large number of small islands or the presence of rural and mountain areas and low population density. **A list of extensions applied for and agreed is given in Annex ... ⁽²⁾.**

2. Member States having acceded to the European Union by virtue of Accession Treaties concluded after 1 January 2003 may also apply for adaptation of the collection targets referred to in Article 13, *by reference to particular social, economic, geographical or environmental circumstances such as a large number of small islands or the existence of rural and mountainous areas and a low population density. A list of extensions applied for and agreed is given in Annex ... ⁽²⁾.*

3. If a Member State deems it necessary to introduce national measures based on the previous paragraphs, it shall notify the Commission of the envisaged national measures and the grounds for introducing them.

4. The Commission shall, within six months of the notifications as referred to in paragraph 3, approve or reject the envisaged national measures after having verified that they are consistent with the conditions set out in paragraphs 1 and 2 and do not constitute an arbitrary means of discrimination or a disguised restriction on trade between Member States.

In the absence of *any* decision from the Commission within this period, the envisaged national measures shall be deemed to have been approved.

5. The Commission shall inform **the** other Member States of **any notifications received with a view to seeking their opinions on the matter in issue before taking its decisions. The Commission shall also inform the Member States of those** decisions.

CHAPTER V

TREATMENT AND RECYCLING

Article 15

Treatment operations

1. Member States shall ensure *that schemes are set up*, using the best available treatment and recycling techniques **in terms of the protection of human health and the environment**, to provide for the treatment of spent batteries and accumulators collected in accordance with Article 9 **that comply, as a minimum, with Community legislation, in particular as regards health, safety and waste management. They** shall ensure that, when setting up the treatment schemes, the negative external impacts of transport are taken into account.

Member States shall ensure that producers, or third parties acting on their behalf, set up recycling schemes for spent batteries and accumulators collected in accordance with Article 9, using the best available techniques that do not entail excessive costs.

⁽¹⁾ OJ L 332, 9.12.2002, p. 1.

⁽²⁾ [To be added before the adoption of this Directive.]

Tuesday 20 April 2004

2. The treatment shall, as a minimum, include removal, **where applicable**, of all fluids and acids. **Storage shall, where this occurs**, even temporarily, **be on** sites with impenetrable surfaces and suitable weatherproof covering or in suitable containers.

3. Producers may set up such schemes on an individual or collective basis.

Article 16

Exports

1. Treatment **and/or recycling** may also be undertaken outside the Member State concerned or *outside the Community* provided that the shipment of spent batteries and accumulators is in compliance with 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*⁽¹⁾

Spent batteries and accumulators exported out of the Community in accordance with Regulation (EEC) No 259/93, 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*⁽²⁾ and 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 Decisions C(92) 39 final does not apply*⁽³⁾ shall count towards the fulfilment of the obligations and targets in Articles **11**, 18 and 19 of this Directive, *provided that* the exporter declares that the **treatment and/or** recycling operation took place under conditions equivalent to the requirements of this Directive.

2. The Commission shall establish detailed rules for the implementation of the previous paragraph, in accordance with the procedure *referred to in* Article 30(2).

Article 17

New recycling technologies

1. Member States shall promote the development of new recycling and treatment technologies, and research into environmentally friendly and cost-effective recycling methods for all types of batteries and accumulators.

2. Member States shall encourage treatment facilities to introduce certified environmental management schemes in accordance with *European Parliament and Council Regulation (EC) 761/2001 of 19 March 2001* allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)⁽⁴⁾.

Article 18

Recycling targets

1. Member States shall ensure that, one year after the date referred to in Article 32(1), producers, or third parties acting on their behalf, **provide for the recycling of all batteries collected separately in accordance with Article 9.**

2. **New minimum recycling targets shall be established for all batteries and accumulators three years after the date referred to in Article 32(1).**

The minimum recycling targets are to be evaluated regularly and adapted to scientific and technical progress.

⁽¹⁾ 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).

⁽²⁾ OJ L 166, 1.7.1999, p. 6. Amended by Commission Regulation (EC) No 2118/2003 (OJ L 318, 3.12.2003, p. 5).

⁽³⁾ OJ L 185, 17.7.1999, p. 1. Regulation as amended by Regulation (EC) No 2118/2003.

⁽⁴⁾ OJ L 114, 24.4.2001, p. 1.

Tuesday 20 April 2004

Article 19

Recycling efficiency **targets**

1. Member States shall ensure that, no later than three years after the date referred to in Article 32(1), producers, or third parties acting on their behalf, achieve the following minimum recycling efficiencies:

- (a) a minimum **recycling** of 65 % by average weight of the materials contained in lead-acid accumulators **and a closed loop for all the lead contained;**
- (b) a minimum **recycling** of 75 % by average weight of the materials contained in nickel-cadmium accumulators **and a closed loop for all the cadmium contained;**
- (c) recycling of 55 % by average weight of the materials contained in other spent batteries and accumulators.

The proposed minimum recycling efficiencies are to be evaluated regularly and adapted to best available technology and scientific and technical progress in accordance with the procedure referred to in Article 30(2).

2. Member States shall report annually on the recycling targets referred to in Article 18 as well as the recycling efficiencies, referred to in the previous paragraph, actually achieved in each calendar year, starting from the dates referred to in the previous paragraph.

That information shall be submitted to the Commission no later than six months after the end of the year concerned.

CHAPTER VI

COMMON PROVISIONS
ON COLLECTION, TREATMENT AND RECYCLING

Article 20

Schemes for portable batteries and accumulators

1. Member States shall ensure that, ***no later than one year after the date referred to in Article 32(1)***, producers, or third parties acting on their behalf, ***provide*** the financing for at least the ***collection***, treatment, recycling and ***environmentally*** sound disposal of all spent portable batteries and accumulators deposited at collection facilities set up under Article 9(1)(a).

2. In the case of products placed on the market later than one year after the date referred to in Article 32(1), every producer shall be responsible for financing the operations referred to in paragraph 1 of this Article in relation to the waste from his own products.

3. Member States shall ensure that producers comply with the previous paragraph by means of individual or collective schemes.

4. The costs of collection, treatment and environmentally sound disposal shall not be shown separately to purchasers at the time of sale of new products.

Article 21

Schemes for industrial and automotive batteries and accumulators

1. Member States shall ensure that producers, or third parties acting on their behalf, arrange financing for the collection, treatment and recycling of spent industrial and automotive batteries and accumulators collected in accordance with Article 9(1)(b) and (c).

Tuesday 20 April 2004

2. For batteries which are still incorporated in other products such as cars or electrical and electronic equipment at the moment those other products become waste, the battery producers will only become responsible for the further treatment of the batteries after their removal from the other products.

3. Member States shall allow producers and users of industrial and automotive batteries and accumulators to conclude agreements under which other financing methods than the ones referred to in paragraph 1 can be used.

4. Member States shall ensure that end-users are obliged to return their spent industrial and automotive batteries and accumulators to collection systems.

Article 22

Registration and Guarantee

Member States shall take the necessary measures to ensure that, when placing a product on the market, each producer is registered and provides a guarantee that the management of spent batteries and accumulators **that he has placed on the market** will be financed. The producer may provide a guarantee in the form of its participation in appropriate schemes for financing the management of spent batteries and accumulators, or of a recycling insurance, or of a blocked bank account.

In the case of batteries which are still incorporated in other products, such as cars or electrical or electronic equipment, at the moment those other products become waste, battery producers will only become responsible for the further treatment of the batteries after their removal from the other products.

Member States shall draw up a register of producers and shall collect information, including substantiated estimates, on an annual basis, on the quantities and categories of batteries and accumulators placed on their market, collected, treated and recycled within the Member States, and on collected waste exported, by weight or, if this is not possible, by numbers.

The measures should differentiate between the financing of the management of spent mercury, lead or cadmium batteries and accumulators and the financing of the management of other spent batteries and accumulators.

Member States may disregard the financing guarantee where the collection and recycling of batteries and accumulators are self-financing.

Article 23

Historic waste

1. Responsibility for meeting the costs of **the collection, treatment, recycling and environmentally sound disposal of** spent batteries and accumulators placed on the market before the entry into force of this Directive, historic waste, shall lie with producers.

Member States shall take the necessary measures to ensure that all producers of portable batteries placed on the market before the entry into force of this Directive, or third parties acting on their behalf, have met their obligations in proportion to their weight-related market share per type of battery and accumulator.

2. For industrial batteries and accumulators put on the market before the entry into force of the Directive and being replaced by equivalent products or by products fulfilling the same function, the financing of the management should be provided by the producers when supplying those new products. Member States may, as an alternative, provide that the final user also be partially or totally responsible for this financing.

3. For other industrial historical waste batteries, the financing of the costs shall be provided for by the industrial users.

Tuesday 20 April 2004

4. With regard to historic waste, Member States shall ensure that for a transitional period of four years after the date referred to in Article 32(1) producers are allowed, at the time of sale of new products, to show purchasers the costs of collection, treatment and recycling of all spent batteries and accumulators. The costs mentioned shall not exceed the actual costs incurred.

Article 24

Participation

Member States shall ensure that all economic operators in the sectors concerned and all the competent public authorities may participate in the collection, treatment and recycling schemes referred to in Articles 9, 10 and 15.

These schemes shall also apply to products imported from third countries under non-discriminatory conditions, and shall be designed to avoid barriers to trade or distortions of competition.

CHAPTER VII

CONSUMER INFORMATION

Article 25

End-user information

1. Member States shall ensure, in particular through **national** information campaigns, that **end-users** are fully informed of.

- (a) the potential effects on the environment and human health **of batteries and accumulators and** of the substances used in batteries and accumulators;
- (b) the requirement not to dispose of spent batteries and accumulators as unsorted municipal waste and to collect such waste separately;
- (c) the collection and recycling schemes available to them;
- (d) their role in contributing to the recycling of spent batteries and accumulators;
- (e) the meaning of the symbol of the crossed-out wheeled bin *shown in Annex II* and the chemical symbols Hg, Cd and Pb.

2. **Producers shall fund the provision of the end-user information referred to in paragraph (1).**

3. **Member States shall take appropriate measures to encourage end-users to participate in the collection of spent batteries and accumulators and to persuade them to facilitate the process of re-use, treatment and recovery.**

Article 26

Economic operators

Member States may require that some or all the information referred to in Article 25 be provided by economic operators, in particular those involved in the manufacture, distribution and sale of batteries and accumulators.

Tuesday 20 April 2004

CHAPTER VIII

MARKING REQUIREMENTS

Article 27

Labelling

1. Member States shall ensure that all batteries, accumulators and battery packs are appropriately marked with the symbol shown in **Annex II**.

Member States shall ensure that the capacity of all batteries, accumulators and battery packs is indicated on them in a visible, legible and indelible form.

2. ***Batteries, accumulators and button cells containing more than 5 of ppm mercury, more than 20 ppm of cadmium or more than 40 ppm of lead, shall be marked with the chemical symbol for the metal concerned: Hg, Cd or Pb. The symbol indicating the heavy metal content shall be printed beneath the symbol shown in Annex II and shall cover an area of at least one quarter the size of that symbol.***

3. ***The symbol shown in Annex II shall cover 3 % of the area of the largest side of the battery, accumulator or battery pack, up to a maximum size of 5 × 5 cm. In the case of cylindrical cells, the symbol shall cover 1,5 % of the surface area of the battery or accumulator and shall have a maximum size of 5 × 5 cm.***

4. ***Where the size of the battery, accumulator or battery pack is such that the symbol would be smaller than 0,5 × 0,5 cm, the battery, accumulator or battery pack need not be marked but a symbol measuring 1 × 1 cm shall be printed on the packaging.***

5. ***The symbols shall be printed visibly, legibly and indelibly.***

6. ***Member States shall not require additional marking on batteries and accumulators relating to matters regulated by this Directive.***

7. ***The Commission may, under the procedure referred to in Article 30(2), provide for exemptions from labelling pursuant to this Article.***

CHAPTER IX

FINAL PROVISIONS

Article 28

National implementation reports

1. Member States shall send the Commission a report on the implementation of this Directive every three years. The reports shall be drawn up on the basis of a questionnaire or outline established by the Commission in accordance with the procedure laid down in Article 30(2). The questionnaire or outline shall be sent to the Member States six months before the start of the period covered by the report.

2. The report shall be made available to the Commission no later than nine months after the end of the three-year period concerned. The first report shall cover the three-year period starting on the date referred to in Article 32(1).

Tuesday 20 April 2004

Article 29

Review

1. The Commission shall publish a report on the implementation of this Directive and on the impact of this Directive on the environment as well as on the functioning of the internal market no later than nine months after receiving the reports from the Member States. This report shall include an evaluation on the following aspects of the Directive:

- (a) *the appropriateness of further risk management measures for batteries and accumulators containing heavy metals, taking into account **the latest scientific evidence and** the reporting obligation of the Member States referred to in Article 6;*
- (b) *the appropriateness of the minimum collection target for all spent portable batteries and **accumulators, taking** into account the information provided by the Member States on the basis of Article 6, technical progress and practical experience gained in the Member States;*
- (c) *the appropriateness of the minimum recycling targets and recycling efficiencies set out in Articles 18 and 19, taking into account the information provided by the Member States, technical progress and practical experience gained in the Member States;*
- (d) ***the extent to which heavy metal-free fuel cells can replace accumulators containing heavy metals.***

2. The Commission shall publish the report in the Official Journal. The report shall, where necessary, be accompanied by proposals for revision of the related provisions of this Directive.

In the light of the evaluation the Commission shall, where appropriate, submit a new proposal for a directive with a view, in so far as heavy metal-free fuel cells could replace accumulators containing heavy metals, to prohibiting the marketing of accumulators containing heavy metals in new appliances.

Article 30

Committee procedure

- 1. The Commission shall be assisted by the Committee set up under Article 18 of Directive 75/442/EEC.
- 2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to Article 8 thereof.

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

Article 31

Penalties

Member States shall lay down the rules for penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all the necessary measures 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 by the date specified in Article 32 at the latest and shall notify it without delay of any subsequent amendment *affecting* them.

Article 32

Transposition

- 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive at the latest 18 months after entry into force of this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation between those provisions and this Directive.

Tuesday 20 April 2004

2. 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 reference is to be made.

3. Member States shall communicate to the Commission the text of all existing laws, regulations and administrative provisions adopted in the field covered by this Directive.

Article 33

Voluntary agreements

Provided that the objectives set out in this Directive are achieved, Member States may transpose the provisions set out in Articles 6, 9, 16, 25, 26 and 27 by means of agreements between the competent authorities and the economic operators concerned. Such agreements shall meet the following requirements:

- (a) they shall be enforceable;
- (b) they must specify objectives with the corresponding deadlines;
- (c) they must 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 must be monitored regularly, and 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 reached under the agreement is examined;
- (f) in cases of non-compliance with the agreements, Member States shall implement the relevant provisions of this Directive by legislative, regulatory or administrative measures.

Article 34

Repeal

Directive 91/157/EEC is repealed with effect from the date referred to in Article 32(1) of entry into force of this Directive.

References to Directive 91/157/EEC shall be construed as references to this Directive.

Article 35

Entry into force

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

Article 36

Addressees

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

Tuesday 20 April 2004

ANNEX I

**MONITORING OF COMPLIANCE WITH THE COLLECTION TARGETS
IN ACCORDANCE WITH ARTICLE 13**

Year	
Country	
Number of inhabitants	
Total quantity in tonnes of portable batteries and accumulators placed on the market in the year	
Total quantity in tonnes of spent portable batteries and accumulators collected separately in the year	
Collection rate achieved for the total quantity of spent portable batteries and accumulators as a percentage of sales volumes based on sales two years earlier	
Total quantity in tonnes of portable nickel-cadmium batteries and accumulators placed on the market in the year two years previously	
Total quantity in tonnes of spent portable batteries and accumulators collected separately in the year	
Collection rate achieved for the total quantity of spent nickel-cadmium portable batteries and accumulators as a percentage of sales volumes	

ANNEX II

**SYMBOL FOR THE MARKING OF BATTERIES, ACCUMULATORS AND BATTERY PACKS
FOR SEPARATE COLLECTION**

The symbol indicating 'separate collection' for all batteries and accumulators shall be the crossed-out wheeled bin shown **below**:



ANNEX III

**BATTERIES AND ACCUMULATORS
IN APPLICATIONS EXEMPTED FROM THE PROHIBITION
IN ARTICLE 4(1)**

In accordance with Article 4(2) batteries and accumulators, whether or not incorporated into appliances, used in the following applications are exempted from the prohibition mentioned in Article 4(1):

- **button cells, and batteries made up of button cells with a mercury content of no more than 2 % by weight,**
- **cadmium in batteries or accumulators for emergency lighting,**

Tuesday 20 April 2004

- *cadmium in batteries and accumulators for industrial applications,*
- *cadmium in batteries and accumulators for aeroplanes and trains, but excluding NiCd batteries used in electrical vehicles, since those applications fall under Article 4(2) (a) of Directive 2000/53/EC,*
- *lead in automotive batteries and accumulators, according to the provisions of Directive 2000/53/EC,*
- *lead in batteries and accumulators of applications which are needed to start combustion engines (for example in garden tractors, boat engines, aeroplanes and motorcycles),*
- *lead in batteries and accumulators for industrial applications.*

In accordance with Article 11, Member States shall prohibit the final disposal of all batteries and accumulators listed in this Annex in landfills or by incineration.

ANNEX IV

LIST OF THE CATEGORIES OF APPLIANCE EXCLUDED FROM THE SCOPE OF ARTICLE 5

1. *Reference cells in scientific and professional equipment, and batteries and accumulators placed in medical devices designed to maintain vital functions and in heart pacemakers, where uninterrupted functioning is essential and the batteries and accumulators can be removed only by qualified personnel;*
2. *Portable appliances with an intended lifetime exceeding that of the original set of batteries or accumulators, where their replacement by unqualified personnel could present safety hazards to the user or could affect the operation of the appliance;*
3. *Appliances in respect of which legal safety standards require the use of tools for battery removal or which are designed and sold as waterproof;*
4. *Batteries and accumulators incorporated into professional equipment intended for use in highly sensitive surroundings, for example, in the presence of volatile substances.*

P5_TA(2004)0305

Charging HGVs for infrastructure ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (COM(2003) 448 – C5-0351/2003 – 2003/0175(COD))

(Codecision procedure: first reading)

The European Parliament,

- *having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 448) ⁽¹⁾,*
- *having regard to Articles 251(2) and 71(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0351/2003),*

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

- having regard to the motion for a resolution by Jorge Salvador Hernández Mollar on private investment in transport infrastructure (B5-0360/2003),
 - 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 Economic and Monetary Affairs and the Committee on the Environment, Public Health and Consumer Policy (A5-0220/2004),
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 the Commission.
-

P5_TC1-COD(2003)0175

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of Directive 2004/.../EC of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures

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 *European Parliament and Council Directive 1999/62/EC* of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures ⁽¹⁾, and in particular Article 7 thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the Opinion of the Economic and Social Committee ⁽³⁾,

Having regard to the Opinion of the Committee of the Regions ⁽⁴⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁵⁾,

Whereas:

- (1) *The Commission announced its intention of proposing a directive on charging for the use of road infrastructure in the White Paper 'European transport policy for 2010: time to decide'. The European Parliament confirmed the need for infrastructure charging in its resolution of 12 February 2003 ⁽⁶⁾ on the White Paper and welcomed the fair allocation of external costs for each mode of transport as a key element of a sustainable transport policy, both from the point of view of fair competition between the individual modes of transport, and from the point of view of effective environmental protection. The Copenhagen European Council of December 2002 and the Brussels European Council of March 2003 also welcomed the Commission's intention of presenting a new 'Eurovignette' Directive.*

⁽¹⁾ OJ L 187, 20.7.1999, p. 42.

⁽²⁾ OJ C ...

⁽³⁾ OJ C ...

⁽⁴⁾ OJ C ...

⁽⁵⁾ Position of the European Parliament of 20.4.2004.

⁽⁶⁾ OJ C 43 E, 19.2.2004, p. 250.

Tuesday 20 April 2004

- (2) A *fair* system of charging for the use of road infrastructure, **based on the 'user pays' and the 'polluter pays' principles**, is crucial in order to ensure sustainable transport in the Community. The objective of making optimum use of the existing road network and achieving a significant reduction in its negative impact **must be** achieved, without **ultimately increasing the overall cost to users and in such a way as to avoid double taxation**, in the interests of sound economic growth and the proper functioning of the single market. **In addition, the Commission should develop uniform calculation principles, based on scientifically recognised data, which will in future clear the way for the internalisation of external costs.**
- (3) *In paragraph 29 of the conclusions of its meeting of 15 and 16 June 2001 in Göteborg, the European Council stated that a sustainable transport policy should tackle rising volumes of traffic and levels of congestion, noise and pollution and encourage the use of environment-friendly modes of transport as well as the full internalisation of social and environmental costs.*
- (4) *The concern to avoid adding to the burden on operators becomes especially important regarding outlying regions, which already suffer a disadvantage in terms of transport cost on account of the greater distances which their operators have to cover in order to reach the main production and consumption centres.*
- (5) *Eliminating distortions of competition between transport undertakings in the Member States, the proper functioning of the internal market, improved competitiveness and concern for the environment and public health all depend on non-discriminatory fair mechanisms being established, in accordance with the subsidiarity principle, to charge hauliers for the cost of infrastructure use. A degree of harmonisation has already been achieved through the adoption of Directive 1999/62/EC.*
- (6) *With regard to infrastructure financing, efforts to reduce congestion and complete the trans-European network infrastructure should be stepped up.*
- (7) For the purposes of setting tolls, Directive 1999/62/EC takes account of infrastructure construction, operating, maintenance and development costs. To avoid charging for construction costs more than once, the costs that may be taken into account for this purpose must be limited to those for new infrastructure, i.e. infrastructure to be built in future or which has been completed **within an appropriate period before this Directive enters into force**. However, a special provision should be introduced, so as not to cause prejudice, with regard to taking into account construction costs, to the rights relating to concession contracts in existence at the time of entry into force of the directive.
- (8) *The provisions in this Directive will not in any circumstances affect rights derived from existing concessionary contracts.*
- (9) **International** road transport operations are concentrated on the trans-European road transport network. Furthermore, the operation of the internal market is vital to commercial transport. Consequently, the Community framework must apply to commercial transport on the trans-European road network as defined in Decision No 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network⁽¹⁾. In order to avoid traffic being diverted, with potentially serious consequences for road safety and the optimum use of the transport network, Member States must be able to introduce charging on any road which is in direct competition with the trans-European network (Main road network). In accordance with the principle of subsidiarity, Member States **and, in accordance with their respective powers, regional and local authorities** are free to apply tolls and/or user charges on roads other than those on the main road network, in compliance with the rules of the Treaty.
- (10) The fact that the user is able to take decisions which will influence the burden of tolls by choosing the least polluting vehicles, itineraries which are less ecologically sensitive, less congested periods or itineraries and safer vehicles, is central to a charging system. States should therefore be able to dif-

⁽¹⁾ OJ L 228, 9.9.1996, p. 1. Decision as amended by Decision No 1346/2001/EC (OJ L 185, 6.7.2001, p. 1).

Tuesday 20 April 2004

ferentiate tolls according to a vehicle's emission category ('EURO' classification) and the level of damage it causes to roads, the place, the time and the amount of congestion. **The variations in toll rates must not result in an increase in the weighed average toll referred to in Article 7(9).**

- (11) **The** financial burden for the transport sector must not be increased, but distributed differently by replacing fixed taxes and charges by a system of charges related to use. When Member States introduce tolls and/or user charges, they must therefore be able to reduce in particular the rates of annual taxes on vehicles, where appropriate to below the minimum levels provided for in Annex I to Directive 1999/62/EC, **and/or excise duty on motor fuels.**
- (12) **Member States should be allowed to apply reduced rates of vehicle taxes to, or to exempt from such taxes, vehicles used for national defence or civil protection purposes, vehicles used by fire and other emergency services and by the police and by road maintenance services and vehicles used by recognised relief organisations.**
- (13) **In accordance with the principle of subsidiarity, Member States shall decide on the use of revenue from fees for the benefit of road infrastructure.** Consequently, the revenue from fees **should, however,** be used for the benefit of the transport sector **and for improving the entire transport system,** in the interests of the transport network as a whole.
- (14) Particular attention must be devoted to mountain regions such as the Alps or the Pyrenees **and to the zones and agglomerations referred to in Article 8(1) of Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management**⁽¹⁾. The launch of major new infrastructure projects has often failed because the substantial financial resources they would require were not available. In **these** particularly sensitive regions, users must therefore pay a mark-up to finance essential projects of very high European value — **such as priority TENs projects** — including those involving another mode of transport **and network links** in the same corridor **and/or** area; the level of such a mark-up must be proportionate in order to safeguard freedom of movement. This amount must be linked to the financial needs of the project. It should also be linked to the basic value of the tolls in order to avoid artificially high charges in any one corridor, which could lead to traffic being diverted to other corridors, thereby causing local congestion problems and inefficient use of networks.
- (15) Fees must be non-discriminatory and not involve excessive formalities or create barriers at the internal borders. Appropriate measures must therefore be taken to make payment possible at any time and by various means, and to ensure that the electronic payment tool (on-board unit) is as accessible to the occasional user as to the frequent traveller.
- (16) In order to ensure consistent, harmonised application of the infrastructure charging system, Member States will have to set the level of tolls with the aid of a common methodology to take account of the various costs which should be covered. **The Commission should develop principles for calculating tolls, based on scientifically recognised data, which will open the way for full internalisation of external costs.**
- (17) **Further** technical progress is still needed to develop the system of charging for the use of road infrastructure. There must be a procedure allowing the Commission to adapt the requirements of Directive 1999/62/EC to technical progress following consultation of the Member States for this purpose. The measures necessary to implement this Directive must 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⁾.

⁽¹⁾ OJ L 296, 21.11.1996, p. 55. Directive as amended by European Parliament and Council Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

Tuesday 20 April 2004

- (18) Given that the objectives of the proposed action, namely to harmonise the conditions applicable to tolls and user charges for the use of road infrastructure, cannot be satisfactorily achieved by the Member States and may therefore be better achieved at Community level by reason of their European dimension and with a view to safeguarding the internal transport market, the Community can take measures, in accordance with the principle of subsidiarity enshrined in Article 5 of the Treaty. In accordance with the principle of proportionality set out in that Article, this Directive does not exceed what is necessary to achieve those objectives.
- (19) ***If the objective of fair charging is to be achieved, account must be taken of the system of road infrastructure concessions or equivalent solutions existing in the Member States (for roads, motorways, tunnels and bridges) since, on networks where concessions are in operation, HGVs already pay their external costs in line with the 'user pays' principle, where the concessions in question are public-private partnerships (PPPs) subject to the rules of free competition,***

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 1999/62/EC is amended as follows:

1) Article 2 is amended as follows:

(a) point (a) is replaced by the following text:

'(a) 'trans-European network' means the road network defined in Section 2 of Annex I to Decision No 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network (*) as illustrated by maps. The maps refer to the corresponding sections mentioned in the operative part and/or in Annex II to this Decision;

(*) OJ L 228, 9.9.1996, p. 1. Decision as last amended by Decision No 1346/2001/EC (OJ L 185, 6.7.2001, p. 1).'

(b) the following points (aa) and (ab) are inserted:

'(aa) 'main road network' means the trans-European road network and any other road to which traffic may be diverted from the trans-European road network and which is in direct competition with certain parts of that network;

(ab) 'construction costs' means the costs related to construction, including; where appropriate, the cost of the interest on the capital invested, ***as regards the portion not yet amortised by the date of entry into force of this Directive; construction costs should, in any case, not exceed the current costs of reconstructing the infrastructure concerned;***

(c) in point (b), the phrase 'the amount shall be based on the distance travelled and the type of vehicle' is replaced by 'the amount shall be based on the distance travelled and the corresponding costs per kilometre';

(d) ***the following point (ba) is inserted:***

'(ba) the 'weighted average toll' shall be calculated in accordance with the criteria set out in Article 7(9), with reference to the road infrastructure concerned, on the basis of the cost per kilometre. This weighted average toll must be determined by the competent authority in each Member State.'

(e) points (d) and (e) are replaced by the following text:

'(d) 'vehicle' means a motor vehicle or articulated vehicle combination intended or used for the carriage by road of goods and having a maximum permissible laden weight of over 3.5 tonnes;

(e) vehicle of the 'EURO 0', 'EURO I', 'EURO II', 'EURO III', 'EURO IV', 'EURO V' category means a vehicle that complies with the emission limits set out in Annex 0 to this Directive'

Tuesday 20 April 2004

(f) *the following point (ea) is inserted:*

'(ea) 'road infrastructure concession' means an act (a contract or unilateral act) delegating a general interest service by which an administrative authority authorises a private-law corporation to take charge of designing, constructing, financing and operating a road infrastructure (road, motorway, tunnel, bridge) for a long and specified period, while being reimbursed for the debt incurred and the capital invested by the revenues obtained by operating a toll system.'

(g) point (f) is *replaced by the following text:*

'(f) 'external costs': costs being clearly caused by the road freight system, but not calculated in the market prices of their services. They can include congestion costs, environmental costs, such as local and global air pollution, noise, landscape damages and social costs, such as health and indirect accidents costs, not covered by insurances.'

2) Article 6 is amended as follows:

(a) in paragraph 2, the phrase 'Member States may apply reduced rates or exemptions for:', is replaced by the following text: 'Without prejudice to Article 7b, Member States may apply reduced rates or exemptions for:'

(b) *paragraph 2 (a) is replaced by the following text:*

'(a) vehicles used for national or civil defence purposes, by fire and other emergency services, by recognised humanitarian and relief organisations, by the police, and vehicles used for road maintenance;'

(c) in paragraph 4, the phrase 'Without prejudice to the second subparagraph of paragraph 1 and to paragraphs 2 and 3 of this Article', is replaced by the following text: 'Without prejudice to paragraphs 3 and 4 of this Article and to Article 7b.'

3) Article 7 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following text:

'1. Member States may maintain or introduce tolls and/or user charges under the conditions set out in paragraphs 2 to 12.

2. Tolls and user charges shall be imposed on the vehicles defined and on the trans-European road network. After informing the Commission, Member States may extend the imposition of tolls and user charges to other roads of the primary road network. When deciding on any such extension, they must consult the local and/or regional authorities responsible for the roads to which the tolls and/or user charges would be extended and ensure that those tolls and/or user charges are compatible with any other charging system applied at local or regional level.

This Directive shall be without prejudice to the right of Member States and, in accordance with their respective powers, of regional and local authorities to apply tolls and/or user rights on other roads, in compliance with rules of the Treaty.'

(b) paragraph 4 is replaced by the following text:

'4. Tolls and user charges may not discriminate, directly or indirectly, on the grounds of nationality of the haulier, the country or place of registration of the vehicle, or the origin or destination of the transport operation.'

(c) a new paragraph 5a is inserted as follows:

'5a. Member States using electronic systems to collect tolls and/or user charges shall make available to all vehicles, under reasonable administrative and economic arrangements, the appropriate vehicle on-board units ('OBU'). These arrangements should not, financially or otherwise, e.g. by imposing an additional administrative burden or requirements for other additional equipment, place non-regular users of the road network at a disadvantage.'

Tuesday 20 April 2004

- (d) the second subparagraph of paragraph 7 is replaced by the following text:

'The maximum rates shall be reviewed every two years from ... [date of entry into force of this Directive]. When necessary, the Commission shall adapt the rates, in conformity with the procedure referred to in Article 9c(2).'

- (e) the third subparagraph of paragraph 7 is deleted

- (f) paragraph 9 is replaced by the following text:

'9. The weighted average tolls shall be related to:

- **the costs of constructing, operating, maintaining and developing the infrastructure network concerned, including payment of interest on capital invested,**
- **the return on capital invested,**
- **any infrastructure costs designed to reduce nuisance related to noise and costs of actual payments made by the infrastructure operator for investments aimed at accident prevention and reduction,**
- **costs corresponding to objective environmental elements such as for example soil contamination and atmospheric pollution, including congestion costs where these can be objectively quantified by a methodology duly adopted at European level for the purpose of such calculations.**

The weighted average tolls shall be calculated without prejudice, as regards taking into account **the costs of constructing, operating, maintaining, and developing the transport infrastructure concerned**, to rights relating to concession contracts, **as defined in Article 2(ab)**, existing at ... [date of entry into force of this Directive].

These tolls, calculated according to the method outlined in Annex II, are maximum levels; Member States may apply lower levels as well.'

- (g) Paragraph 10 is replaced by the following text:

'10. Without prejudice to the **average value of the** weighted tolls referred to in paragraph 9, Member States may vary the toll rates, **provided that the value of the highest rates is no more than 100 % above the value of the lowest rates**, according to:

- (a) vehicle type, based on its road damage class in conformity with **Annex III**;
- (b) EURO emission **standards** in accordance with Annex 0;
- (c) **whether it is a working day or a holiday**;
- (d) time of day and level of congestion on the road **concerned**;
- (e) the particular road in the network, depending on the environmental sensitivity of the area, the population density or the accident risk;
- (f) **the level of PM10 and NO_x**.

Any variation in tolls charged with respect to **the elements specified in points (a) to (f)** shall be proportionate to the objective **pursued**.'

- (h) **a new paragraph 10a is inserted as follows:**

'10a. Not later than ... (*) the Commission shall devise a generally applicable, transparent, and comprehensible model for the assessment of all external environment-, congestion-, and health-related costs to serve as the basis for future calculations of infrastructure charges.

The Commission shall be assisted for that purpose by a committee consisting of representatives of the Member States and chaired by the representative of the Commission. The procedure referred to in Article 9c(3) and (4) shall apply.

(*) **Two years after entry into force of this Directive.'**

Tuesday 20 April 2004

- (i) paragraphs 11, 12 and 13 are added as follows:

'11. In exceptional cases concerning infrastructure in mountainous regions **and the zones and agglomerations referred to in Article 8(1) of Directive 96/62/EC**, and after consulting the Commission in conformity with the procedure referred to in Article 9c(5), a mark-up may be added to the tolls to allow for cross-financing the investment costs of other **environment-friendlier** transport infrastructures **which are also** of a high European interest, **such as priority TENs projects**, in the same corridor **and/or** in the same transport zone.

The mark-up may not exceed 25 % of the tolls. **Notwithstanding Article 2(ab), reference shall also be made, purely for the purposes of calculating the mark-up, to the infrastructure construction costs already amortised by the date of entry into force of this Directive.**

The application of this provision shall be subject to the presentation of financial plans for the infrastructure concerned and a cost-benefit analysis for the new infrastructure project. Application of this provision to new trans-frontier projects shall be subject to the agreement of the Member States concerned.

Should the Commission consider that the planned mark-up does not meet the conditions set in this paragraph, it shall seek the opinion of the Committee referred to in Article 9c(1). It may reject the plans for charges submitted by the Member State concerned in conformity with the procedure referred to in Article 9c(2).

When the Commission informs the Member State concerned that it intends to seek the opinion of the Committee, the deadline of 30 days mentioned in Article 2 of the Council Decision referred to in Article 9c(5) shall be suspended.

12. Each Member State shall ensure that the emission classification and the road damage classification of vehicles registered on their territory can easily be identified.

Where a driver is unable to produce the necessary documents in the event of a check, Member States **must** apply tolls as for the most polluting and damaging vehicle category, i.e. EURO 0 and damage class III.

13. This Directive shall be without prejudice to the right of Member States to apply concession tolls. Concession tolls, which are the result of a contract delegating a general interest service in a Member State shall be subject to national law and to European law on public markets in transport.'

- 4) Articles 7a and 7b are inserted as follows:

'Article 7a

1. In determining the levels of tolls to be charged, Member States shall take account of the various costs to be covered, according to the common methodology set out in **Annex III**.

2. Member States shall communicate to the Commission the unit values and other parameters they use in calculating the various cost elements. After consulting the Committee referred to in Article 9c(1), the Commission shall approve these values and parameters in accordance with the procedure referred to in Article 9c(2).

Article 7b

1. Without prejudice to Articles 87 and 88 of the Treaty, and subject to other provisions of Community law, Member States may, on introducing a system of tolls and/or user charges for infrastructure, provide compensation for these charges, in particular by reducing the rates of vehicle taxes, where appropriate, to a level below the minimum rates in Annex I to the Directive.

2. Compensation in respect of road charges must be provided without discrimination to all hauliers from EU Member States, irrespective of the driver's country of origin.

Tuesday 20 April 2004

3. The level of compensation must be proportionate to the level of the tolls and/or user charges paid. Member States may, however, average out the compensation paid to the various categories of vehicles referred to in the Annex.

4. Member States shall include both the system of tolls and/or user charges and the compensation scheme in a common programme. Any compensation scheme must be implemented in the year following the introduction of the new system of tolls and/or user charges.

5. The compensation schemes shall also fully take into account the fiscal effects of existing or future local and regional charging schemes falling outside the geographical scope of the Directive.'

5) Article 8a is inserted as **follows**:

'Article 8a

Any discounts or reductions in tolls shall be limited to the actual saving in administrative costs by the infrastructure operator. In setting the level of any discount, no account may be taken of the cost savings already internalised in the tolls levied.'

6) Article 9 is amended as follows:

(a) **a new point (d) is added to paragraph 1:**

'(d) insurance taxes.'

(b) paragraph 2 is replaced by the following text:

'2. In keeping with the principle of subsidiarity, Member States shall determine the use to be made of revenue from charges for the use of road infrastructure. To enable the transport network to be developed as a whole, revenue from charges should be used to benefit the transport sector and optimise the entire transport system.'

7) Articles 9a, 9b and 9c are inserted as follows:

'Article 9a

Member States shall establish appropriate controls and determine the penalty system applicable to infringements of the national provisions adopted under this Directive; they shall take all necessary measures to ensure that they are implemented. The penalties established must be efficient, proportionate and dissuasive.

Article 9b

The Commission shall update the Annexes in the light of technical progress or of inflation, in accordance with the procedure referred to in Article 9c(3). **In that connection, it shall draw up uniform bases and principles for calculating external costs.**

Article 9c

1. The Commission shall be assisted by the Committee, *hereinafter referred to as 'the Committee'*, established by Article 9 of Regulation (EEC) No 1108/70 of the Council of 4 June 1970 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway (*).

2. Whenever reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, subject to the provisions of Article 8 thereof.

3. Whenever reference is made to this paragraph, Article 5 and 7 of Decision 1999/468/EC shall apply, subject to the provisions of Article 8 thereof.

The period provided for in Article 5(6) of Decision 1999/468/EC shall be *three months*.

4. The Committee shall adopt its rules of procedure.

Tuesday 20 April 2004

5. Whenever reference is made to this provision, the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States (*) shall apply.

(*) OJ L 130, 15.6.1970, p. 4. Decision as amended by Regulation (EEC) No 3572/90 (OJ L 353, 17.12.1990, p. 12).

(**) OJ L 23, 3.4.1962, p. 720. Decision as amended by Council Decision 73/402/EEC (OJ L 347, 17.12.1973, p. 48).'

8) Article 11 is replaced by the following text:

‘Article 11

No later than 1 July 2008, the Commission shall present a report to the European Parliament and the Council on the implementation and the effects of this Directive, taking account of developments in technology, the trend in traffic density **and road accidents, and the impact of transport on the environment.**

Member States shall forward the necessary information to the Commission no later than twelve months before this date’

9) The table in Annex II indicating the amount of annual charges is amended as follows:

Annual charge

	Max. of 3 axles	Min. of 4 axles
EURO 0	1 332	2 223
EURO I	1 158	1 933
EURO II	1 008	1 681
EURO III	876	1 461
EURO IV and less polluting	797	1 329

10) Annex 0, the text of which appears in Annex I to this Directive is inserted.

11) Annex III, the text of which appears in Annex II to this Directive is added.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 July 2005. They shall forthwith inform the Commission thereof and communicate a table of equivalence between those provisions and this Directive.

When Member States adopt such measures, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such a reference shall be adopted by Member States.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

Tuesday 20 April 2004

ANNEX I

ANNEX 0

EMISSION LIMITS

1. 'EURO 0' vehicle

Mass of carbon monoxide (CO) g/kWh	Mass of hydrocarbons (HC) g/kWh	Mass of nitrogen oxides (NO _x) g/kWh
12,3	2,6	15,8

2. 'EURO I'/'EURO II' vehicles

	Mass of carbon monoxide (CO) g/kWh	Mass of hydrocarbons (HC) g/kWh	Mass of nitrogen oxides (NO _x) g/kWh	Mass of particulates (PT) g/kWh
'EURO I' vehicle	4,9	1,23	9,0	0,4 ⁽¹⁾
'EURO II' vehicle	4,0	1,1	7,0	0,15

⁽¹⁾ A coefficient of 1,7 is applied to the particulate emission limit value in the case of engines with a power rating of 85 kW or less.

3. 'EURO III'/'EURO IV'/'EURO V' vehicles

The specific masses of carbon monoxide, total hydrocarbons, nitrogen oxides and particulates, determined by the ESC test and the exhaust gas opacity, determined by the ERL test, must not exceed the following values ⁽¹⁾

	Mass of carbon monoxides (CO) g/kWh	Mass of hydrocarbons (HC) g/kWh	Mass of nitrogen oxides (NO _x) g/kWh	Mass of particulates (PT) g/kWh	Exhaust gas m ⁻¹
'EURO III' vehicle	2,1	0,66	5,0	0,10 ⁽²⁾	0,8
'EURO IV' vehicle	1,5	0,46	3,5	0,02	0,5
'EURO V' vehicle	1,5	0,46	2,0	0,02	0,5

⁽¹⁾ A test cycle consists of a sequence of test points, each point being defined by a speed and a torque which the engine must respect in steady state (ESC test) or transient operating conditions (ETC and ELR tests).

⁽²⁾ 0,13 for engines whose unit cylinder capacity is less than 0,7 dm³ and the nominal speed is in excess of 3 000 min⁻¹.

In the case of diesel engines which also undergo the ETC test, and especially in the case of gas emissions, the specific masses of carbon monoxide, non-methane hydrocarbons, methane (where appropriate), nitrogen oxides and particulates (where appropriate) must not exceed the following values:

	Mass of carbon monoxide (CO) g/kWh	Mass of non-methane hydrocarbons (NMHC) g/kWh	Mass of methane (CH ₄) ⁽¹⁾ g/kWh	Mass of nitrogen oxides (NO _x) g/kWh	Mass of particulates (PT) ⁽²⁾ g/kWh
'EURO III' vehicle	5,45	0,78	1,6	5,0	0,16 ⁽³⁾
'EURO IV' vehicle	4,0	0,55	1,1	3,5	0,03
'EURO V' vehicle	4,0	0,55	1,1	2,0	0,03

⁽¹⁾ For engines operating with natural gas only.

⁽²⁾ Not applicable to gas engines.

⁽³⁾ 0,21 for engines whose unit cylinder capacity is less than 0,75 dm³ and normal speed is in excess of 3 000 min⁻¹.

Tuesday 20 April 2004

ANNEX II

ANNEX III

COST CALCULATION AND ALLOCATION

This Annex stipulates the method for calculating the various constituent elements of tolls. The cost estimates and figures used in point 2 are intended as a guide. However, they must be used if a Member State has not evaluated these costs in a manner that more appropriately reflects local or regional circumstances.

1. Infrastructure costs

1.1. Investment costs

Infrastructure investment costs, calculated as the costs of constructing the infrastructure concerned and expressed as an annual figure (including an appropriate rate of interest on the invested capital) throughout the design lifetime of the infrastructure, must be allocated in proportion to the number of annual vehicle-km for each vehicle category.

Unit investment cost (euros per vehicle-km) =

annual amortisation of investment plus interest on invested capital
 * share of commercial traffic
 ÷ distance in km travelled by the commercial vehicles

1.2. Infrastructure damage costs

Infrastructure damage costs, calculated as the average (over a maximum of five years) annual expenditure for the maintenance and operation of the infrastructure concerned, must be allocated in proportion to the annual vehicle-km for each vehicle category, weighted by an equivalence factor. This factor, which is given in point 1.3 of this Annex, expresses the influence of each vehicle category on the maintenance and operating costs of the infrastructure concerned. It is determined on the basis of the vehicles' weight, suspension system and number of axles.

Unit infrastructure cost (euros per vehicle-km) =

annualised expenditure on maintenance and operation
 * share of the traffic by vehicle category weighted by equivalence factors
 ÷ distance in km travelled by vehicle category

1.3. Vehicle classes and equivalence factors

The following table gives the equivalence factors:

Vehicle class	Equivalence factors	
	Structural maintenance ⁽¹⁾	Regular maintenance
< 3,5t	0,0001	1
Between 3,5t and 7,5t, Class 0	1,46	3
> 7,5 t, Class I	2,86	3
> 7,5 t, Class II	5,06	3
> 7,5 t, Class III	8,35	3

⁽¹⁾ The vehicle classes correspond to axle weights of 0,5; 5,5; 6,5; 7,5 and 8,5 tonnes respectively.

Tuesday 20 April 2004

Structural maintenance, such as resurfacing, reinforcement of civil engineering works and renewal of road beds, is carried out occasionally. These costs are proportional to the infrastructure damage caused by the traffic. The damage varies according to the axle weight. According to an accepted rule, this damage is equivalent to the fourth power of the axle weight. Consequently, a doubling of the weight leads to a sixteenfold increase in the damage to the road.

Regular maintenance, such as road marking, cleaning of ditches, winter maintenance, etc. is carried out each year. Although this expenditure is not linked to the vehicle weight, it reflects the overall traffic intensity and composition.

If the expenditure on structural maintenance cannot be determined from other expenditure in the infrastructure manager's accounts, the default value for the latter is 20 % of total expenditure.

The vehicle classes are defined by the table below.

Vehicles must be classed in subcategories 0, I, II and III according to the damage they cause to the road surface, in ascending order (Class III is thus the category causing most damage to road infrastructure). The damage increases exponentially with the increase in axle weight.

All motor vehicles and vehicle combinations of a maximum permissible laden weight below 7.5 tonnes belong to damage class 0.

Motor vehicles

Driving axles with air suspension or recognised equivalent (1)		Other driving axle suspension systems		Damage class
Number of axles and maximum permissible gross laden weight (in tonnes)		Number of axles and maximum permissible gross laden weight (in tonnes)		
Not less than	Less than	Not less than	Less than	
Two axles				I
7,5	12	7,5	12	
12	13	12	13	
13	14	13	14	
14	15	14	15	
15	18	15	18	
Three axles				
15	17	15	17	
17	19	17	19	
19	21	19	21	
21	23	21	23	
23	25	23	25	
25	26			
				II
Four axles				
23	25	23	25	I
25	27	25	27	
27	29	27	29	II
29	31			
31	32			

⁽¹⁾ Suspension recognised as equivalent according to the definition in Annex II to Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59).

Tuesday 20 April 2004

Vehicle combinations (articulated vehicles and road trains)

Driving axles with air suspension or recognised as equivalent		Other driving axle suspension systems		Damage class
Number of axles and maximum permissible gross laden weight (in tonnes)		Number of axles and maximum permissible gross laden weight (in tonnes)		
Not less than	Less than	Not less than	Less than	
2 + 1 axles				I
7,5	12	7,5	12	
12	14	12	14	
14	16	14	16	
16	18	16	18	
18	20	18	20	
20	22	20	22	
22	23	22	23	
23	25	23	25	
25	28	25	28	
2 + 2 axles				
23	25	23	25	
25	26	25	26	
26	28	26	28	
28	29	28	29	
29	31	29	31	
31	33	31	33	II
33	36	33	36	III
36	38	36	38	
2 + 3 axles				II
36	38	36	38	
38	40	38	40	
3 + 2 axles				II
36	38	36	38	
38	40	38	40	
40	44	40	44	
3 + 3 axles				I
36	38	36	38	
38	40	38	40	
40	44	40	44	

2. Accident costs

The unit cost per accident type is adjusted by the risk involved per accident type and vehicle type. The insurance premium per vehicle type is then subtracted. The final charge element is expressed in euros per kilometre travelled. A distinction must be made between motorways, urban roads and other non-urban roads.

The following is a simplified formula for taking account of the accident costs not covered by insurance:

$$\begin{aligned}
 &\text{External unit cost of accidents by infrastructure type (euros per vehicle-km)} = \\
 &(\text{total costs per accident type for all types of accident} \\
 &\quad * \text{ number of accidents per type involving a heavy goods vehicle} - \text{insurance premiums}) \\
 &\div \text{ vehicle-km}
 \end{aligned}$$

Tuesday 20 April 2004

Estimated cost by accident type

Accident risk	
Fatal	EUR 1 million/case
Serious injury	EUR 135 000/case
Slight injury	EUR 15 000/case

P5_TA(2004)0306**Social legislation relating to road transport ***I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on minimum conditions for the implementation of Directive 2002/15/EC and Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities (COM(2003) 628 – C5-0601/2003 – 2003/0255(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 628) ⁽¹⁾,
- having regard to Articles 251(2) and 71(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0601/2003),
- 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 opinion of the Committee on Employment and Social Affairs (A5-0216/2004),

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 the Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TC1-COD(2003)0255

Position of the European Parliament adopted at first reading on 20 April 2004 with a view to the adoption of European Parliament and Council Directive 2004/.../EC on minimum conditions for the implementation of Directive 2002/15/EC and Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71 thereof,

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

⁽¹⁾ OJ C ...

Tuesday 20 April 2004

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

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

Whereas:

- (1) Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport ⁽⁴⁾, Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport ⁽⁵⁾, Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of working time of persons performing mobile road transport activities ⁽⁶⁾ **and Regulation (EC) No 484/2002 of the European Parliament and of the Council of 1 March 2002 amending Council Regulations (EEC) No 881/92 and (EEC) No 3118/93 for the purposes of establishing a driver attestation** ⁽⁷⁾ are important for the creation of a common market for inland transport services.
- (2) In the White Paper 'European transport policy for 2010: time to decide' ⁽⁸⁾, the Commission indicated the need to tighten up checks and sanctions particularly for social legislation on road transport activities, and specifically to increase the number of checks, to encourage the systematic exchange of information between Member States, to co-ordinate inspection activities and to promote the training of inspecting officers.
- (3) It is therefore necessary to ensure proper application of the social rules on road transport through the establishment of minimum requirements for the uniform and effective checking by the Member States of compliance with the relevant provisions. Those checks **must** serve to reduce and prevent infringements.
- (4) **The measures provided for in this Directive, based on Articles 71 and 137(2) of the EC Treaty, should not only lead to greater road safety but should also contribute to a harmonisation and improvement of social standards in the Community and promote a level competitive playing field.**
- (5) The replacement of the analogue tachograph by a digital tachograph will progressively enable a greater volume of data to be checked more swiftly and more precisely and, for that reason, Member States will increasingly be in a position to undertake a greater volume of checks. The percentage of days worked by drivers of vehicles coming within the scope of the social legislation should therefore be increased to 3 %.
- (6) **It should be an objective, where monitoring systems are concerned, for national solutions to be developed to render them interoperable and workable.**
- (7) Sufficient standard equipment **and legal powers must** be available to all competent enforcement authorities to enable them to carry out their duties effectively and efficiently.
- (8) Within each Member **State a** single coordinating enforcement body acting as a national focal point **must be designated**, with responsibility for overseeing and implementing a coherent national enforcement strategy **and achieving European interoperability of monitoring systems** in consultation with other relevant competent authorities, **as well as compiling** relevant statistics.

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ Position of the European Parliament of 20.4.2004.

⁽⁴⁾ OJ L 370, 31.12.1985, p. 1. Regulation as amended by Directive 2003/59/EC of the European Parliament and of the Council (OJ L 226, 10.9.2003, p. 4).

⁽⁵⁾ OJ L 370, 31.12.1985, p. 8. Regulation as last amended by Commission Regulation (EC) No 1360/2002 (OJ L 207, 5.8.2002, p. 1).

⁽⁶⁾ OJ L 80, 23.3.2002, p. 35.

⁽⁷⁾ **OJ L 76, 19.3.2002, p. 1.**

⁽⁸⁾ COM(2001) 370.

Tuesday 20 April 2004

- (9) Cooperation between Member State enforcement authorities **must** be further promoted through concerted checks, joint training initiatives, the establishment of a common interoperable electronic system of information, and the exchange of intelligence and experience.
- (10) Best practice in road transport enforcement operations, particularly to ensure a harmonised approach to the issue of proof of a driver's annual leave or sick leave, should be facilitated and promoted through a forum for Member State enforcement bodies.
- (11) 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⁾.
- (12) A common recognition of specific offences in relation to Regulation (EEC) Nos 3820/85 and 3821/85 **will** promote the harmonisation of enforcement within the Member States.
- (13) Since the objectives of the proposed action, namely to lay down clear common rules on minimum conditions for checking the correct and uniform implementation of Directive 2002/15/EC and of Regulation (EEC) Nos 3820/85 and 3821/85 **as well as Regulation (EC) No ... of ... [on the harmonisation of certain social legislation relating to road transport]**⁽²⁾, cannot be sufficiently achieved by the Member States and can therefore, by reason of the need for *coordinated* transnational 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.
- (14) Council Directive 88/599/EEC of 23 November 1988 on standard checking procedures for the implementation of Regulation (EEC) No 3820/85 on the harmonisation of certain social legislation relating to road transport⁽³⁾ and Regulation (EEC) No 3821/85 should therefore be replaced,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Subject-matter

This Directive lays down minimum conditions for **implementation** of Regulation (EEC) Nos 3820/85 and **3821/85, Directive 2002/15/EC and Regulation (EC) No 484/2002 as well as Directive 2003/59/EC**⁽⁴⁾.

Article 2

Definition

For the purposes of this Directive, 'driver' means any person who drives the vehicle even for a short period, or who is carried in the same vehicle for the purpose of driving it.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ **OJ L ...**

⁽³⁾ OJ L 325, 29.11.1988, p. 55.

⁽⁴⁾ **Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p.4).**

Tuesday 20 April 2004

Article 3

Checking systems

1. Member States shall organise a system of appropriate and regular checks of correct and uniform implementation, as referred to in Article 1, both at the roadside and at premises of undertakings of all transport categories.

These checks shall cover each year a large and representative cross-section of mobile workers, drivers, undertakings and vehicles of all transport categories falling within the scope of Regulation (EEC) Nos 3820/85 and 3821/85, and of drivers and mobile workers falling within the scope of Directive 2002/15/EC **and Regulation (EC) No 484/2002.**

This Directive shall apply to vehicles registered in the Community where the carriage by road is undertaken:

- (a) entirely within the Community; or***
- (b) between the Community and a third country which is not a contracting party to the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR) or through such a country.***

The AETR shall apply where carriage by road is undertaken by vehicles registered in any Member State or any country which is a contracting party to the AETR, for the whole of the journey where that journey is between the Community and a country which is a contracting party, or through such a country.

In the case of carriage using vehicles registered in a third country which is not a contracting party to the AETR, the provisions of this Directive shall apply to that part of the journey effected within the Community.

2. ***In so far as this is not already the case, Member States shall, not later than 1 January 2005, provide authorised inspecting officers with all necessary legal powers to enable them correctly to discharge their inspection obligations as required by this Directive.***

3. Each Member State shall organise checks in such a way that they cover each year at least 3 % of days worked by drivers of vehicles falling within the scope of Regulation (EEC) Nos 3820/85 and 3821/85.

This minimum percentage may be increased by the Commission ***following approval by Parliament, provided that transport operators have a fully functioning digital tachograph at their disposal.***

Not less than **15 %** of the total number of the working days checked shall be checked at the roadside and not less than 50 % shall be checked at the premises of undertakings. ***At least 50 % of inspections on the premises of undertakings must be conducted in respect of very small undertakings (not more than three vehicles).***

4. The information submitted to the Commission in accordance with Article 16(2) of Regulation (EEC) No 3820/85 shall include the number of drivers checked at the roadside, the number of checks at premises of undertakings, the number of working days checked and the number **and nature** of infringements reported.

Article 4

Statistics

Member States shall ensure that statistics collected on the checks organised in accordance with Article 3(1) are broken down into the following categories:

- (a) for roadside inspections: type of road, namely whether it is a motorway, a national or a secondary road; road number; name and location of place of inspection; country of registration of the vehicle inspected; number of vehicles owned by the undertaking it belongs to and type of tachograph used;***

In order to counteract discrimination, records shall be kept of the Member State of origin of vehicles, drivers and undertakings subjected to roadside inspections.

Tuesday 20 April 2004

(b) for premises inspections:

- (i) type of transport activity, namely whether the activity is international or domestic; passenger or freight; own account or hire and reward; perishable or non-perishable goods;
- (ii) size of company fleet.

The undertakings responsible for the drivers and the appropriate authorities in the Member States shall keep a record of the data collected for the previous year.

Article 5

Roadside checks

1. Roadside checks shall be organised in different places and at any time, covering a sufficiently extensive part of the road network to make it difficult to avoid checkpoints.

2. Member States shall ensure that:

- (a) sufficient provision is made for checkpoints on existing and planned roads; in particular, that service stations, ***hospitality areas, parking areas and other safe locations*** along the motorways, ***as well as service areas*** can function as checkpoints;
- (b) checks are carried out following a random rotation system, ***with an effort being made to secure a balance in the intensity of the checks conducted at different roadside locations.***

3. Roadside checks should take place when vehicles drive past the checkpoint or intend to do so. Roadside checks should only be carried out on stationary vehicles which are clearly parked in order to comply with the prescribed driving breaks and rest periods, if there are specific grounds for suspicion or if the risks involved require such action to be taken.

4. The elements to be verified at roadside checks shall be as laid down in Part A of Annex I. Checks may concentrate on a specific such element if the situation so requires.

5. Roadside checks shall be carried out without discrimination. In particular, inspecting officers shall not discriminate on any of the following grounds:

- (a) country of registration of vehicle;
- (b) country of residence of driver;
- (c) country of establishment of undertaking;
- (d) origin and destination of journey;
- (e) type of tachograph in the vehicle.***

6. The authorised inspecting officer shall be provided with:

- (a) a list of the principal elements to be checked, as set out in Part A of Annex I;
- (b) certain standard checking equipment, as set out in Annex II.

7. If, in a Member State, the findings of a roadside check on the driver of a vehicle registered in another Member State afford grounds for believing that infringements have been committed which ***make supplementary checks on the premises of the undertaking appear necessary***, the competent authorities of the Member States concerned shall assist each other in clarifying the situation.

Tuesday 20 April 2004

Article 6

Concerted checks

Member States shall, at least six times per year, undertake concerted operations to check at the roadside drivers and vehicles falling within the scope of Regulation (EEC) Nos 3820/85 and 3821/85.

Such operations shall be undertaken at the same time by the enforcement authorities of two or more Member States, each operating in their own territory.

Article 7

Checks at the premises of undertakings

1. Checks at premises shall be planned in the light of past experience of different categories of transport **and undertakings**. They shall also be carried out if serious infringements of Regulation (EEC) No 3820/85, Regulation (EEC) No 3821/85, Directive 2002/15/EC **or Regulation (EC) No 484/2002** have been detected at the roadside.

2. Checks at the premises of undertakings shall comprise, in addition to the elements listed in Part A of Annex I, the elements listed in Part B of that Annex.

3. The authorised inspecting officer shall be provided with:

- (a) a list of the principal elements to be checked, as set out in Parts A and B of Annex I;
- (b) certain standard checking equipment, as set out in Annex II.

4. The authorised inspecting officer in a Member State shall in the course of his inspection take into account any information provided by the designated coordinating enforcement body of another Member State referred to in Article 8(1) concerning the activities of the undertaking in that other Member State.

5. For the purposes of paragraphs 1 to 4, checks carried out at the premises of the competent authorities, on the basis of relevant documents or data handed over by undertakings at the request of the said authorities, shall have the same status as checks carried out at the premises of undertakings.

Article 8

Co-ordinating enforcement body

1. Member States shall designate a co-ordinating enforcement body.

The body shall have the following tasks:

- (a) to ensure coordination between the different competent authorities within one Member State as regards actions taken under Articles 5 and 7 and with equivalent bodies in the other Member States concerned as regards actions taken under Article 6;
- (b) to lay down, together with the equivalent bodies in the other Member States, an unequivocal interpretation and uniform implementation of the provisions of Directives (EEC) Nos 3820/85 and 3821/85;**
- (c) to forward the biennial statistical returns to the Commission under Article 16(2) of Regulation (EEC) No 3820/85;
- (d) to draw up a coherent national enforcement strategy;
- (e) to be primarily responsible for assisting the competent authorities of other Member States within the meaning of Article 5(7);
- (f) to publish the statistical data obtained pursuant to Article 3.**

The body shall be represented on the Committee referred to in Article 14(1).

Tuesday 20 April 2004

2. Member States shall notify the Commission of the coordinating enforcement body and the Commission shall advise the other Member States accordingly.

3. Exchange of data, of experience and of intelligence between Member States shall be actively promoted, primarily but not exclusively through the Committee referred to in *Article 14(1)* and any such body as the Commission may designate in accordance with the procedure referred to in *Article 14(2)*.

Article 9

Exchange of information

1. Information made available bilaterally under Article 17(3) of Regulation (EEC) No 3820/85 or Article 19(3) of Regulation (EEC) No 3821/85 shall be exchanged between the designated coordinating enforcement bodies notified to the Commission in accordance with *Article 8(2)*:

- (a) at least once every three months commencing 1 January 2005;
- (b) upon a specific request by a Member State in individual cases.

2. Member States shall establish electronic systems for the exchange of information, using a standard format for ease of comprehension.

To that end, the competent authorities in each Member State may use the standard reporting form set out in Commission Decision 93/172/EEC of 22 February 1993 drawing up the standard form provided for in Article 6 of Council Directive 88/599/EEC concerning road transport ⁽¹⁾ or they may designate a common system following consultation with the Commission.

Article 10

Common risk rating system and offences

1. Member States shall introduce a common risk rating system for undertakings based on the number and severity of any infringements of Regulation (EEC) No 3820/85, Regulation (EEC) No 3821/85 or Directive 2002/15/EC that an individual undertaking has committed.

Undertakings with a high-risk rating shall be checked more closely and more often and, if repeated offences are detected, they shall be more heavily penalised. The criteria and detailed rules for implementing such a system shall be determined by the Commission in accordance with the procedure referred to in *Article 14(2)*, taking into account the extent to which any infringements as referred to in paragraph 4 have been committed.

2. Member States shall include amongst their sanctions the temporary immobilisation of the vehicle, and/or, in the case of passenger transport, they may compel the driver to take a daily rest period, or withdraw, suspend or restrict an undertaking's licence or a driving licence. The use of sanctions shall be effective, proportionate and dissuasive **and shall be non-discriminatory in relation to the reasons laid down in Article 5(5)**.

Where a Member State becomes aware of an infringement against Regulations (EEC) No 3820/85 and (EEC) No 3821/85 or against Directive 2002/15/EC, that has been committed on the territory of another Member State, it shall bring it to the attention of that Member State to enable the latter to impose penalties.

3. Member States shall ensure that a system of proportionate financial sanctions is in force if non-compliance with Regulation (EEC) No 3820/85, Regulation (EEC) No 3821/85, Directive 2002/15/EC, **or Regulation (EC) No 484/2002**, on the part of an undertaking, or associated consignors, freight forwarders or sub-contractors, leads to profits.

⁽¹⁾ OJ L 72, 25.3.1993, p. 30.

Tuesday 20 April 2004

4. Member States shall recognise, in particular, each of the following infringements of Regulation (EEC) No 3820/85, Regulation (EEC) No 3821/85 or Directive 2002/15/EC as constituting a serious offence:

- (a) exceeding the maximum daily, six-day or fortnightly driving time limits by a margin of 20 % or more;
- (b) disregarding the minimum daily or weekly rest period by a margin of 20 % or more;
- (c) disregarding the minimum break by a margin of 33 % or more;
- (d) exceeding the maximum weekly working time of 60 hours by a margin of **10 %** or more.

5. These offences equally apply to self-employed drivers and drivers of goods vehicles with a permissible maximum weight exceeding 3.5 tonnes inclusive of trailer or semi-trailer;

6. Member States shall *notify the Commission by ... (*)* **within one year of the entry into force of this Directive** of the sanctions laid down for those infringements. The Commission shall inform the other Member States accordingly.

Article 11

Penalties

Member States shall lay down the rules on penalties for infringement of the national provisions adopted pursuant to this Directive 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 by the date specified in *Article 17*.

Article 12

Report

Within three years of the entry into force of this Directive, the Commission shall submit to the European Parliament and to the Council a report analysing the penalties set out in the legislation of the Member States for defined offences. **At the same time, the Commission shall submit a proposal for a directive on the harmonisation of these sanctions.**

The report shall indicate the degree of difference between the penalties, and what **the effect of** harmonisation of minimum and maximum penalties for a defined offence **would be on securing compliance with the provisions of this Directive and road safety requirements.**

Article 13

Best practice

1. In accordance with the procedure referred to in *Article 14(2)*, the Commission shall establish guidelines on best practice in enforcement.

Those guidelines shall be **published in a biennial report of the Commission.**

2. Member States shall establish joint training programmes on best practice to be held at least once per year and shall facilitate exchanges, at least once per year, of staff of the coordinating enforcement body with their counterparts in other Member States.

3. If a driver has been on sick leave or on annual leave during the period mentioned in the first indent of the first subparagraph of *Article 15(7)* of Regulation (EEC) No 3821/85, he shall produce a form, duly attested by his employer, if asked to do so by an authorised inspecting officer.

That form shall be drawn up by the Commission in accordance with the procedure referred to in *Article 14(2)*.

(*) **One year after the entry into force of this Directive.**

Tuesday 20 April 2004

Article 14

Committee

1. The Commission shall be assisted by the Committee established by Article 18(1) of Regulation (EEC) No 3821/85. ***The social partners should also be represented on this 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 15

Implementing measures

At the request of a Member State or on its own initiative the Commission shall, in accordance with the procedure referred to in *Article 14(2)*, adopt implementing measures, in particular with one of the following aims:

- (a) to clarify the provisions of the Directive and to ensure a common approach;
- (b) to encourage a coherence of approach between enforcement bodies;
- (c) to facilitate dialogue between the industry and enforcement bodies.

Article 16

Updating of the Annexes

Amendments to the Annexes which are necessary to adapt them to the developments of best practice shall be adopted in accordance with the procedure referred to in *Article 14(2)*.

Article 17

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2006 at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

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 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 18

Repeal

Directive 88/599/EEC shall be repealed with effect from the date of entry into force of this Directive.

Tuesday 20 April 2004

Article 19

Entry into force

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

Article 20

Addressees

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament

The President

For the Council

The President

ANNEX I

Part A

Roadside checks

The elements to be covered by roadside checks are:

- 1) daily **and weekly** driving periods, **total accumulated driving time during two consecutive weeks**, breaks and daily **and weekly** rest periods **and compensatory rest periods**; also the preceding **two weeks'** record sheets which have to be carried on board the vehicle in accordance with Article 15(7) of Regulation (EEC) No 3821/85 and/or the data **of the preceding 28 days** stored for the same period on the driver card and/or in the memory of the recording equipment in conformity with Annex II to this Directive;
- 2) for the period referred to in Article 15(7) of Regulation (EEC) No 3821/85, any cases where the vehicle's authorised speed is exceeded, to be defined as being any periods of more than 1 minute during which the vehicle's speed exceeds 90 km/h for category N3 vehicles or 105 km/h for category M3 vehicles (categories N3 and M3 being as defined in Annex I to Council Directive 70/156/EEC ⁽¹⁾);
- 3) where appropriate, momentary speeds attained by the vehicle as recorded by the recording equipment in no more than the previous 24 hours' use of the vehicle;
- 4) last weekly rest period;
- 5) correct functioning of the recording equipment (determination of possible misuse of the equipment and/or the driver card and/or record sheets) or, where appropriate, presence of the documents referred to in Article 14(5) of Regulation (EEC) No 3820/85;
- 6) working time weekly maximum of 60 hours in any one week as laid down in Article 4(a) of Directive 2002/15/EC;
- 7) daily night-time working hours as set out in Article 7 of Directive 2002/15/EC;
- 8) **if the vehicle is driven by a driver from a third country: possession of a valid driver's attestation in accordance with Regulation (EC) No 484/2002.**

⁽¹⁾ OJ L 42, 23.2.1970, p. 8.

Tuesday 20 April 2004

Part B

Checks at the premises of undertakings

The elements of checks at the premises of undertakings, in addition to those for roadside checks, are:

- 1) weekly rest periods and driving periods between these rest periods;
- 2) two-weekly limitation of driving hours;
- 3) maximum average weekly working time over a four-month reference period, or six-month reference period, if national legislation so permits;
- 4) the use of record sheets, digital tachograph data and/or the organisation of drivers' working times;
- 5) average maximum weekly working time of 48 hours over the reference period in Article 4(a) of Directive 2002/15/EC;
- 6) check on co-liability of other instigators or accessories in the transport chain, such as shippers, freight forwarders or contractors, if an infringement is detected, including verification that contracts for the provision of transport permit compliance with the rules contained in Regulation (EEC) Nos 3820/85 and 3821/85 or Directive 2002/15/EC.

 ANNEX II

Standard equipment to be available to enforcement staff

Member States shall ensure that the following standard equipment is available to enforcement inspectors carrying out the duties set out in Annex I:

- 1) portable computer with software capable of downloading data from the vehicle unit and driver card of the digital tachograph and analysing data or transmitting findings to a central database for analysis. This equipment **must** be interoperable between Member State competent enforcement authorities;
 - 2) equipment to check the old tachograph sheets.
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P5_TA(2004)0307

European Refugee Fund 2005-2010 *

European Parliament legislative resolution on the Commission proposal for a Council decision establishing the European Refugee Fund for the period 2005-2010 (COM(2004) 102 – C5-0096/2004 – 2004/0032(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2004) 102) ⁽¹⁾,
- having regard to Article 63(2)(b) of the EC Treaty,

⁽¹⁾ Not yet published in the OJ.

Tuesday 20 April 2004

- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0096/2004),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinion of the Committee on Budgets (A5-0267/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Considers that the financial statement of the Commission proposal for the period 2005-2006 is compatible with the ceiling of heading 3 of the current Financial Perspective without restricting other policies; asks the Commission to reassess the appropriations for the period 2007-2010 in the light of the new Financial Perspective for the period commencing in 2007;
 4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and the Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

Recital 3

(3) It is necessary to continue this process and establish a European Refugee Fund for the period 2005-2010 to ensure solidarity between the Member States in the light of new Community asylum legislation and taking account of the experience acquired when implementing the first phase of the Fund for the period 2000-2004.

(3) It is necessary to continue this process and establish a European Refugee Fund for the period 2005-2010 to ensure solidarity between the Member States in the light of new Community asylum legislation and taking account of the experience acquired when implementing the first phase of the Fund for the period 2000-2004, **and the recent and ongoing discussions at EU and international level on the reform and possible strengthening of international protection regimes.**

Amendment 2

Recital 3a (new)

(3a) The second phase of the Fund goes beyond the current Financial Perspective. A re-assessment of the Fund's financial endowment in view of its compatibility with the new financial framework is therefore required.

Amendment 3

Recital 4

(4) It is necessary to support the efforts made by the Member States to grant appropriate reception conditions to refugees and displaced persons and to apply fair and effective asylum procedures so as to protect the rights of persons requiring international protection and enable asylum systems to work smoothly.

(4) It is necessary to support **and improve** the efforts made by the Member States to grant appropriate reception conditions to refugees and displaced persons **so as to take account of the special needs of the most vulnerable groups (such as unaccompanied minors, victims of torture or rape, victims of trafficking or forms of sexual abuse, individuals in need of spe-**

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

cial medical treatment), and to apply fair and effective asylum procedures **and promote good practice** so as to protect the rights of persons requiring international protection and enable asylum systems to work smoothly.

Amendment 4

Recital 8

(8) Practical support is needed to create or improve conditions enabling refugees and displaced persons **to take an informed decision** to leave the territory of the Member States and return home, should they so wish.

(8) Practical support is needed to create or improve conditions enabling refugees and displaced persons **who wish** to leave the territory of the Member States and return home, **to do so in full knowledge of the considerations involved and in safety and dignity.**

Amendment 5

Recital 13

(13) It is fair to allocate resources proportionately to the burden on each Member State by reason of its efforts in receiving refugees and displaced persons.

(13) **Whilst it is appropriate to increase the fixed amount awarded to each Member State in order to contribute to improving their asylum system, it remains** fair to allocate **a large part of the** resources proportionately to the burden on each Member State by reason of its efforts in receiving refugees and displaced persons.

Amendment 6

Recital 15

(15) The Member States should provide sufficient guarantees as regards arrangements for implementation and quality of execution, as regards the results of action implementation and assessment and as regards proper financial management and supervision.

(15) The Member States should provide sufficient guarantees as regards arrangements for implementation and quality of execution, as regards the results of action implementation and **its transparency and as regards** assessment and proper financial management and supervision.

Amendment 7

Recital 19

(19) The effectiveness and impact of actions supported by the European Refugee Fund also depend on their evaluation. The responsibilities of the Member States and the Commission in this regard, and arrangements to ensure the reliability of evaluation, should be formalised.

(19) The effectiveness and impact of actions supported by the European Refugee Fund also depend on their evaluation **and the dissemination of the results.** The responsibilities of the Member States and the Commission in this regard, and arrangements to ensure the reliability of evaluation **and the quality of the related information (ex-ante and ex-post),** should be formalised.

Amendment 8

Article 2, paragraph 2

2. In the context of the budgetary procedure for **2008**, the Commission shall indicate, by **1 May 2007** at the latest, whether the **amount for 2008-2010 is sufficient for** the new financial perspectives. If necessary, the Commission **shall take steps in the course of the 2008-2010 budgetary procedures to ensure that the annual appropriations are consistent with the financial perspectives.**

2. In the context of the budgetary procedure for **2007**, the Commission shall indicate, by **1 May 2006** at the latest, whether the **indicative amounts for 2007-2010 are compatible with** the new financial perspectives. If necessary, **and taking account of the real needs established at that time,** the Commission **shall submit to the budgetary authority a proposal to revise the appropriations to be made available to the Fund.**

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 9

Article 3, points (4) and (5)

(4) any third-country nationals or stateless persons who have applied for one of the forms of protection described in points 1 and 3; (5) any third-country nationals or stateless persons enjoying temporary protection within the meaning of Directive 2001/55/EC.	(4) any third-country nationals or stateless persons enjoying temporary protection within the meaning of Directive 2001/55/EC; (5) any third-country nationals or stateless persons who have applied for one of the forms of protection described in points 1 and 3.

Amendment 10

Article 4, paragraph 1, point (b)

(b) integration of persons referred to in Article 3 whose stay in the Member State is of a lasting and/or stable nature;	(b) integration of persons referred to in Article 3;

Amendment 28

Article 4, paragraph 1, point (c)

(c) voluntary return of persons referred to in Article 3, provided they have not acquired a new nationality and have not left the territory of the Member State.	(c) voluntary return of persons referred to in Article 3, provided they have not acquired a new nationality and have not left the territory of the Member State. The Fund shall not support the forced return of rejected asylum seekers.

Amendment 12

Article 4, paragraph 3

3. Actions shall take account of gender-related issues and of the specific needs of the most vulnerable, including persons who have been tortured or subjected to inhuman and degrading treatment and shall give priority to the best interests of children. The actions provided for in paragraph 1(a), (b) and (c) may be carried out on a joint basis.	3. Actions shall take account of gender-related issues, the best interests of children and of the specific needs of the most vulnerable (such as unaccompanied minors, victims of torture or rape, victims of trafficking or forms of sexual abuse, individuals in need of special medical treatment). The actions provided for in paragraph 1(a), (b) and (c) may be carried out on a joint basis.

Amendment 13

Article 5, indent 3

— social assistance, information or help with administrative formalities;	— social assistance, information or help with administrative and/or judicial formalities;

Amendment 14

Article 5, indent 5

— education, language training, help with finding work;	— meeting the special needs of the most vulnerable, particularly in terms of children's schooling;

Amendment 15

Article 6, indent 4

— education, vocational training, recognition of qualifications and diplomas;	— education and training, help with finding work, recognition of qualifications and diplomas;

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 16

Article 6, indent 5

- actions designed to enable these persons to provide for themselves;

- **employment support and, more generally,** actions designed to enable these persons to provide for themselves;

Amendment 17

Article 6, indent 5a (new)

- **actions designed to enable these persons to learn the language commonly used in their place of residence;**

Amendment 18

Article 8, paragraph 2a (new)

- 2a. Projects that involve the persons referred to in Article 3 directly in developing and implementing actions shall be deemed particularly innovative.**

Amendment 19

Article 8, paragraph 2b (new)

- 2b. Community actions may finance short innovative projects.**

Amendment 20

Article 9, paragraph 1

1. In the event of temporary protection mechanisms within the meaning of Council Directive 2001/55/EC being implemented, the Fund shall also finance measures to help the Member States which are separate from and in addition to the actions referred to in Article 4.

1. In the event of temporary protection mechanisms within the meaning of Council Directive 2001/55/EC being implemented, the Fund shall also finance measures to help the Member States **concerned** which are separate from and in addition to the actions referred to in Article 4.

Amendment 21

Article 12, paragraph 4, point (b)

- (b) organising and advertising calls for tenders and proposals;

- (b) organising and advertising calls for tenders and proposals **taking due account of the need for administrative simplification;**

Amendment 22

Article 12, paragraph 6a (new)

- 6a. The responsible authority shall call on a national advisory committee to define the objectives and priorities of the Fund and its general strategy. The advisory committee shall be composed of representatives of the government, local authorities, voluntary organisations, social partners, the UNHCR and higher-education institutes.**

Tuesday 20 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 23

Article 14, paragraph 2, point (d)

(d) indication of whether this strategy is compatible with other regional, national and Community instruments;

(d) indication of whether this strategy is compatible with **and complementary to** other regional, national and Community instruments;

Amendment 24

Article 16, paragraph 1

1. Each Member State shall receive a fixed amount of **EUR 300 000** from the Fund's annual allocation. This amount shall be fixed at EUR 500 000 per annum for **2005, 2006 and 2007** for the states which accede to the European Union on 1 May 2004.

1. Each Member State shall receive a fixed amount of **EUR 150 000** from the Fund's annual allocation. This amount shall be fixed at EUR 500 000 per annum for **a minimum of three consecutive years** for the states which accede to the European Union on 1 May 2004 **and after that date**.

Amendment 25

Article 19, paragraph 3

3. Fund appropriations shall be complementary to public or equivalent expenditure allocated by the Member States to the measures covered by this Decision.

3. Fund appropriations shall be complementary, **and shall add value**, to public or equivalent expenditure allocated by the Member States to the measures covered by this Decision.

Amendment 26

Article 19, paragraph 4, point (a)

(a) as regards actions implemented in the Member States under Articles 5, 6 and 7, 50 % of the total cost of a specific action. This may be increased to 60 % for **particularly innovative actions or** actions carried out by transnational partnerships, and to 75 % in the Member States covered by the Cohesion Fund;

(a) as regards actions implemented in the Member States under Articles 5, 6 and 7, 50 % of the total cost of a specific action. This may be increased to 60 % for actions carried out by transnational partnerships, and to 75 % in the Member States covered by the Cohesion Fund;

Amendment 27

Article 22, paragraph 3

3. A second pre-financing payment shall be made no more than three months after the Commission has approved a report on implementation of the annual work programme and a declaration of expenditure accounting for at least 70 % of the amount of the initial payment. The amount of the second pre-financing payment made by the Commission shall **not exceed 50 % of the total amount allocated by the co-financing decision or, in any event**, the balance of the amount of Community funds actually committed by the Member State for selected projects under the annual programme minus the first pre-financing payment.

3. A second pre-financing payment shall be made no more than three months after the Commission has approved a report on implementation of the annual work programme and a declaration of expenditure accounting for at least 70 % of the amount of the initial payment. The amount of the second pre-financing payment made by the Commission shall **be equal to** the balance of the amount of Community funds actually committed by the Member State for selected projects under the annual programme minus the first pre-financing payment.

Tuesday 20 April 2004

P5_TA(2004)0308

Waste prevention and recycling

European Parliament resolution on the communication from the Commission: Towards a thematic strategy on the prevention and recycling of waste (COM(2003) 301 — C5-0385/2003 — 2003/2145(INI))

The European Parliament,

- having regard to the Commission's communication entitled 'Towards a thematic strategy on the prevention and recycling of waste' (COM(2003) 301 — C5-0385/2003),
 - having regard to Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 on the Sixth Community Environment Action Programme ⁽¹⁾,
 - having regard to the Commission's communication entitled 'Development of a thematic strategy for the sustainable use of natural resources' (COM(2003) 572),
 - having regard to the Commission's communication to the Council and the European Parliament entitled 'Integrated product policy — building on environmental life-cycle thinking' (COM(2003) 302),
 - having regard to Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ⁽²⁾,
 - having regard to the Commission proposal of 29 October 2003 for a regulation of the European Parliament and of the Council concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency and amending Directive 1999/45/EC and Regulation (EC) (on persistent organic pollutants) (COM(2003) 644),
 - having regard to its resolution of 19 November 2003 on the report on the implementation of Council Directive 75/442/EEC (Waste Framework Directive) ⁽³⁾,
 - having regard to its resolution of 14 November 1996 on the communication from the Commission on the review of the Community strategy for waste management and the draft Council resolution on waste policy ⁽⁴⁾ and Council Decision of 24 February 1997 on the Community's strategy for waste management ⁽⁵⁾,
 - having regard to Rule 47(2) and Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Industry, External Trade, Research and Energy (A5-0176/2004),
- A. whereas Article 3(1) of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽⁶⁾ requires Member States to take appropriate measures to encourage, firstly, the prevention or reduction of waste production and its harmfulness,
- B. whereas Article 4 of Decision No 1600/2002/EC provides that the thematic strategies adopted by the programme are to be submitted to the European Parliament and the Council and, where appropriate, are to take the form of a decision of the European Parliament and of the Council to be adopted in accordance with the (codecision) procedure laid down in Article 251 of the Treaty,

⁽¹⁾ OJ L 242, 10.9.2002, p. 1.

⁽²⁾ OJ L 257, 10.10.1996, p. 26.

⁽³⁾ P5_TA(2003)0508.

⁽⁴⁾ OJ C 362, 2.12.1996, p. 241.

⁽⁵⁾ OJ C 76, 11.3.1997, p. 1.

⁽⁶⁾ OJ L 194, 25.7.1975, p. 39. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

Tuesday 20 April 2004

- C. whereas Article 8(1) of Decision No 1600/2002/EC includes the following objectives,
- achieving a significant overall reduction in the volumes of waste generated through waste prevention initiatives, better resource efficiency and a shift towards more sustainable production and consumption patterns;
 - a significant reduction in the quantity of waste going to disposal and the volumes of hazardous waste produced while avoiding an increase of emissions to air, water and soil;
 - encouraging re-use and for wastes that are still generated: the level of their hazardousness should be reduced and they should present as little risk as possible; preference should be given to recovery and especially to recycling; the quantity of waste for disposal should be minimised and should be safely disposed of; waste intended for disposal should be treated as closely as possible to the place of its generation, to the extent that this does not lead to a decrease in the efficiency in waste treatment operations,
- D. whereas Article 8(2), point (ii) of Decision No 1600/2002/EC provides for the development and implementation of measures on waste prevention, while point (iii) addresses waste management and the development of a thematic strategy for waste recycling,
- E. whereas Article 8(2), point (iv) of Decision No 1600/2002/EC provides for the development or revision of the legislation on wastes, including, inter alia, construction and demolition waste, sewage sludge and biodegradable wastes, and for clarification of the distinction between waste and non-waste and the development of adequate criteria for the further elaboration of Annex IIA and IIB of the framework directive on wastes,
- F. whereas Article 8 of Decision No 1600/2002/EC also provides for the development of a thematic strategy on the sustainable use and management of resources and reflects the close link between the sustainable management of natural resources and waste management,
- G. whereas measures must be taken which, on the one hand, lead to lower resource use in products, a shift to cleaner, less wasteful production processes and extended product life-spans, and, on the other hand, influence consumer choice and demand in the market place in favour of less wasteful products and services,
- H. whereas most Member States are still not making sufficient effort to implement Community rules on waste within the prescribed period and to apply them correctly, which is significantly detrimental to the level of environmental protection to which the Community aspires and gives rise to considerable competitive disadvantages for companies in Member States which do implement the rules within the prescribed period,
- I. whereas 'waste prevention' refers solely to the reduction of the generation of waste in the first place and should not be confused with the diversion of waste already generated from disposal,
- J. whereas, although the EU has already taken numerous measures to minimise waste problems, these have not been sufficient to reduce the generation of hazardous and non-hazardous waste and their adverse effects on the environment or to ensure sustainable waste management,
- K. whereas cultural and regional differences in the various Member States are substantial and whereas a uniform system must permit regional differences; whereas a comprehensive waste strategy should therefore be developed in such a way that various instruments can be used,
- L. whereas a successful waste avoidance policy should ultimately be based on a solid scientific analysis and reliable statistical data; whereas the fact that the data available have hitherto either not been evaluated or have been evaluated inadequately, and that the data produced on the basis of the waste statistics regulation will not be available until 2006 at the earliest, should not serve as a pretext for further delay in the adoption of measures to reduce the environmental impact of products and product waste,

Tuesday 20 April 2004

- M. whereas the prevention of waste inevitably constitutes an objective also for the natural resource strategy and integrated product policy, and Directive 96/61/EC and REACH could play an important role in the prevention and treatment of waste,
- N. whereas in most States, disposal and, in particular, landfill still constitute the most frequent methods of waste treatment,
- O. whereas sorting of waste prior to putting certain fractions into state-of-the art waste land-fill sites makes an important contribution to environmental protection,
- P. whereas the prevention of waste generation and the prevention of waste which requires disposal offer great potential for a successful quantitative waste prevention policy,
- Q. whereas an adjustment in production processes can result in less waste or less hazardous waste,
- R. whereas prevention, re-use, recycling and energy recovery of waste — with the order reflecting the order of relevance — could make a vital contribution to the conservation of natural resources, and whereas according to the state of the art at the present time, the separation of certain waste streams is a condition thereof,
- S. whereas there are no Community minimum standards for recovery facilities, which results in different levels of environmental protection in the Member States, eco-dumping and distortions of competition,
- T. whereas, although attempts to establish material-related recycling criteria, e.g. for plastics, or a system of tradeable certificates may supplement the Community rules on treatment, at the present time numerous questions concerning the practical applicability of these remain open,
- U. whereas it is regrettable that all waste management operations are currently exempted from Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading, given that such operations can be a relevant contributor to CO₂ emissions,
- V. whereas recent judgments of the Court of Justice concerning the distinctions between different methods of recovery and final disposal have resulted in uncertainty about the classification of recovery and disposal as referred to in Annex II to Directive 75/442/EEC,
- W. whereas there is an urgent need to draw a clear dividing line between recovery and disposal; whereas clarifying the distinction between waste and non-waste is a condition of greater certainty for companies in terms of law, planning and investment and whereas, moreover, there are no adequate Community definitions of waste prevention and re-use,
1. Welcomes the Commission's communication as an appropriate basis for discussion of future strategy;
2. Calls on the Commission to turn the future thematic strategy into an ambitious policy framework with primary emphasis on concrete measures aimed at waste prevention, so that it achieves the objectives of the Sixth Community Environment Action Programme;
3. Notes and welcomes the fact that the communication broadens the thematic strategy for waste recycling, as provided for in the Sixth Community Environment Action Programme, to include the vital areas of waste management, inter alia waste prevention and clarification of the legal framework;

Tuesday 20 April 2004

4. Considers it essential for the strategy to be discussed by the European Parliament and the Council in accordance with the (codecision) procedure laid down in Article 251 of the Treaty;
5. Takes the view that the title of the strategy ('Towards a thematic strategy on the prevention and recycling of waste') does not adequately reflect its substantive objectives and the challenges involved in a future EU waste management policy, and therefore proposes the following title: 'Towards a thematic strategy on the prevention, recycling and treatment of waste';
6. Considers it essential unequivocally to clarify the correlation between the strategy and other relevant measures and rules, in particular the resource strategy, integrated product policy, Directive 96/61/EC and REACH, as well as the objectives of climate and soil protection policies, and to ensure their consistency;
7. Considers that the strategy should be proposed simultaneously with the resource strategy and that a further intensive dialogue should be conducted until that time with all stakeholders;
8. Points out that the overall objective of the strategy is to reduce to a minimum the negative environmental impact of waste; this means that, in the thematic strategy, environmental impact should be defined, that recycling is not an end in itself, especially not for hazardous waste, and that the waste hierarchy should be correctly applied for different situations and materials; it should be the environmental impact that counts; therefore calls for future legislation to give preference to waste disposal over re-use and recycling only where there is a clear evidence that it actually is more environmentally friendly; this could, for instance, be determined through a comparison of inter alia emission and energy consumption levels for the various alternative processes throughout their lifecycle;
9. Points out that the negative environmental impact of waste is best reduced by not generating the waste in the first place, hence the overriding importance of measures to prevent or reduce the generation of waste, in particular hazardous waste;
10. Confirms that the objective of the sustainable waste management strategy must be prevention of the generation of waste and sustainable resource management, i.e. that future Community measures and targets must take account of environmental, economic and social requirements on an equal footing and with a view to the future;
11. Calls on the Commission to continue, inter alia, to propose the mandatory phasing out of certain hazardous substances in product-related legislation as an effective means of qualitative waste prevention, so as to contribute to an overall reduction of 20 % in the generation of hazardous waste by 2010;
12. Calls on the Commission to ensure proper implementation of existing directives that phase out the use of certain hazardous substances by ensuring that decisions in comitology are in line with the provisions of the directive concerned and consistent with the approach chosen in related legislation;
13. Expressly welcomes in this connection the fact that the Commission is to use an approach with the strategy which takes account of the entire life cycle of resource management and that future Community measures and targets are to be based on a thorough analysis of the eco-efficiency, cost and benefit and cost-effectiveness of various options;
14. Stresses the need to set environmental indicators for consumer products that include inter alia the quantity and impact of final waste; is convinced that these indicators will be a strong incentive for improving the environmental quality of products; believes that clear indicators can enable producers to direct their investment towards environmentally friendlier materials and production methods;
15. Calls on the Commission to be ambitious when setting new targets, to use best environmental practice as the reference for setting targets, to aim at transitional periods that could be met by a maximum of Member States, allowing additional time for certain Member States in well justified cases, and to ensure that effective measures to monitor implementation are put in place;

Tuesday 20 April 2004

16. Requests the Commission to take account of the subsidiarity principle when drawing up the strategy; emphasises in this respect the need to set clear objectives for the EU as a whole, while giving Member States flexibility in how to achieve these objectives;

17. Considers that there is an urgent need to speed up the entire Treaty-infringement procedure in the waste sector, in order to put an end to the competitive disadvantages suffered by companies established in Member States which implement legislation within the prescribed period; encourages the Commission to use its powers to monitor the implementation of Community law in the waste sector more stringently and to apply Articles 226 and 228(2) of the EC Treaty without reservation;

18. Considers, moreover, with a view to the transposition of Community law, that there is an urgent need for more intensive coordination between the Member States, with the participation of the Commission, in order to ensure better exchange of experience and to avoid excessive discrepancies in transposition into national law; therefore calls on the Commission and the Member States once again to set up a waste steering and advisory committee to facilitate thorough and consistent monitoring and coordination of implementation of the applicable waste legislation and consultation with stakeholders on all legislation on waste;

19. Proposes that the abovementioned body should review the existing rules on waste with a view to coherence and simplification, with the aim of recommending, where necessary, the review of provisions which result in unnecessary costs to the authorities and industry or which inhibit innovation, without lowering the level of protection of human health or the environment;

20. Proposes that a separate category, 're-use', be distinguished from the waste category 'recovery', between prevention and recycling; considers that, in this way, re-use will be defined in its own right and that it will be possible to take effective measures to promote re-use; takes the view that an optimal waste management strategy is a combination of prevention, re-use of products and components, recycling of materials, energy recovery and environmentally friendly disposal;

21. Points, in this connection, to the importance of energy recovery for sustainable waste management, following recourse to all possibilities for prevention, re-use and recycling;

22. Calls for the setting up of a Working Party on Waste Prevention, consisting of experts from the Member States and the Commission, to evaluate, within a period of two years, current and new data and studies on waste prevention and to draw up indicators for waste prevention and practical recommendations for measures; the findings of the working party should be forwarded to the European Parliament and the Council in a report and made available to the public; the Commission should, on the basis of the report and the data expected by 2006 by way of the regulation on waste statistics, propose a legislative framework on waste reduction that sets up the various tools needed to implement and accompany the objectives set for waste reduction, namely:

- clarification and elaboration of the definition of waste prevention,
- guidelines for drawing up waste reduction plans,
- bi-annual monitoring and reporting mechanisms on the implementation of the national waste reduction plans,
- harmonised methodology for measuring, and reporting on, waste reduction through the development of a range of harmonised waste reduction indicators for municipal and industrial waste reduction and, if necessary, for different types of waste within these categories;

23. Rejects compulsory waste reduction plans, since such plans would have too great an impact on production processes; takes the view, however, that voluntary waste reduction plans or programmes at regional, local or sectoral level would, by contrast, be welcome;

Tuesday 20 April 2004

24. Calls on the Commission to establish tools supplementary to the waste reduction framework, such as:
- a cleaner production benchmark for structural funding,
 - an EU network of technical assistance centres on cleaner production that offer their services free of charge,
 - criteria for waste reduction for inclusion in the industry authorisation process,
 - a system of accredited re-use and repair centres,
 - guidelines and criteria for implementing 'pay-as-you-throw' schemes, and a working group for sharing knowledge about best practice on 'pay-as-you-throw' schemes,
 - a working group, operating in conjunction with the Thematic Strategy on the Sustainable Use and Management of Natural Resources, with a view to identifying environmentally harmful subsidies on the one hand and environmentally beneficial taxes on resources on the other;
25. Calls on the Commission to consider extending Directive 96/61/EC to the waste sector as a whole and, in so doing, to take account of experience to date in terms of the enforcement and effectiveness of that directive;
26. Calls on the Commission to propose that Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading be extended to all waste management operations, so as to establish an incentive to reduce CO₂ emissions from this sector;
27. Welcomes the fact that the Commission recently submitted legislative proposals on mining waste and for the revision of the batteries directive as well as the Commission's plan to submit proposals during 2004 on biodegradable waste and to amend the sewage sludge directive, which are important elements of the strategy;
28. Calls on the Commission to submit proposals within two years for harmonised standards for recovery and recycling facilities, including pre-treatment facilities, at a high level;
29. Calls on the Commission to submit within two years proposals for defining quality standards for materials recovered from recycling of waste;
30. Considers that there is a need to establish further recycling targets and standards for waste streams which, owing to their quantity or hazardousness, have a considerable impact on the environment and which, because of their negative or low value, offer no or hardly any market incentive for recycling, with particular reference to construction and demolition waste, as provided for in the Sixth Community Environment Action Programme, and commercial and industrial waste;
31. Calls on the Commission, with a view to long-term, sustainable recycling, to propose practical measures to ensure the competitiveness of secondary raw materials in relation to primary raw materials;
32. Calls on the Commission to take measures to encourage re-use; recommends that Member States apply a reduced VAT rate on products sold by re-use centres;
33. Calls for the quantities of waste for disposal to be reduced to a minimum, in order for the waste to be recycled; calls for the most extensive ban possible on landfill of recyclable or compostable waste by the year 2025, and requests the Commission to suggest a revision of the landfill directive accordingly, including a phased timetable which might take the following form:
- from 2010, a ban on landfill of non-pretreated waste with fermentable components;
 - from 2015, a ban on landfill of paper, cardboard, glass, textiles, wood, plastics, metals, rubber, cork, pottery, concrete, brick and tiles;

Tuesday 20 April 2004

- from 2020, a ban on landfill of all recyclable waste;
 - from 2025, a ban on landfill of all residual waste, except where this is unavoidable or hazardous (e.g. filter ash);
34. Calls on the Commission to propose measures which ensure that products and their packaging put on the market after 2010 are re-usable and/or recyclable;
35. Considers the harmonisation of landfill taxes to be appropriate since it makes landfill more expensive and generates income to raise quality standards of landfills; calls for stricter criteria for the depositing and sealing of landfill;
36. Confirms that manufacturer responsibility should continue to be an essential feature of Community waste policy;
37. Stresses the importance of the implementation of the concept of individual producer responsibility in order to encourage design aimed at waste prevention for priority end-of-life product waste streams such as batteries, construction waste, furniture, paper and tyres;
38. Asks the Commission to investigate in greater detail the efficiency and cost effectiveness of material-based recycling targets and, in addition, to clarify how manufacturer responsibility should be assigned; points out that material-based recycling targets make sense only where there are no secondary raw material markets in operation;
39. Asks the Commission to investigate in greater detail the possible use of tradeable certificates as an instrument for the achievement of recovery targets, to evaluate experience with trading certificates in other sectors and to summarise the findings in a report before they are tested in recovery sectors which are capable of being monitored;
40. Rejects, at present, the establishment of European recycling quotas to replace the quotas hitherto to be achieved at national level, since they could lead to considerable discrepancies in waste standards in Europe and thereby to distortions of competition; such an instrument would depend on the establishment of harmonised recovery standards and the development of an efficient European monitoring and sanctions system, which should be explored in greater depth in conjunction with tradeable certificates;
41. Considers 'pay-as-you-throw' schemes to be a promising instrument for creating financial incentives for individuals and companies to reduce the volume of residual waste or to collect waste separately; considers, however, that they are more suitable for use at regional and local level, owing to the differences in regional conditions; welcomes, therefore, the Commission's initiative to produce a guidebook for local decision-makers;
42. In this respect, encourages Member States and regional and local authorities to develop and implement, in cooperation with recycling companies, policies and measures designed to ensure the separate collection of recyclable materials; points out that the failure of certain authorities to do so leads to a distortion of the level playing-field;
43. Emphasises that industrial waste materials are often easier to recycle, since they are frequently purer and of a higher quality; calls on the Commission, therefore, to take due account of this in the planned legal act and to provide for compulsory separate collection of recyclable materials in industry;
44. Asks the Commission to differentiate clearly between recovery and disposal, as swiftly as possible and independently of the strategy;
45. Calls in this connection for compliance with the judgment of the Court of Justice whereby incineration of waste in a waste incineration plant is recognised as a disposal operation even if energy is recovered and supplied to third parties;

Tuesday 20 April 2004

46. Calls on the Commission to evaluate the consultation procedure as regards the definition of the concept of waste already carried out and to make it accessible to the public;
47. Calls on the Commission, as provided in the Sixth Community Environment Action Programme, to clarify the distinction between waste and non-waste, to clarify the definition of recovery and to draw up a general definition of the terms 'waste prevention', 're-use', 'recycling' and 'recycler' as swiftly as possible and independently of the strategy;
48. Urges the Commission to consider the scope for making legislation on waste more flexible, for example by increasing the discretion to treat waste on a case by case basis, according to its quality, and to apply less cumbersome administrative procedures, so as to ensure that legislation does not unnecessarily impede the recycling and utilisation of waste;
49. Proposes that information campaigns should be used to heighten awareness in favour of sustainable waste management among the public, the authorities and economic stakeholders;
50. Calls for the participation of all parties involved in the waste recycling cycle, including end users, and calls for measures for the separate collection of waste, in order to meet the challenge of sustainable waste management;
51. Calls for the establishment of advice centres to promote waste prevention and sustainable waste management among small businesses;
52. Calls on the Member States to enter into an exchange of information at European level on national training and education programmes in the field of waste management, and proposes that a European study be carried out in schools on the teaching and knowledge of the problems associated with waste, with the aim of addressing a recommendation to the Member States aimed at heightening awareness of those problems amongst young people; also proposes in this context that a support programme be set up for school projects on the basis of this study, with the aim of introducing waste prevention and sustainable waste management in schools;
53. Calls on the Commission and the Member States to intensify their efforts to develop international waste disposal standards further at UN and OECD level;
54. Welcomes the Commission's intention to subject the strategy to an extended impact assessment;
55. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

P5_TA(2004)0309

Respect for and promotion of the values on which the Union is based

European Parliament legislative resolution on the Commission communication on Article 7 of the Treaty on European Union: Respect for and promotion of the values on which the Union is based (COM(2003) 606 – C5-0594/2003 – 2003/2249(INI))

And somehow or other good men are slower in action, and overlooking the first beginnings of things, are at last aroused by necessity itself so that some times through their very delays and tardiness of movement while they wish to retain their ease even without dignity, they, of their own accord, lose both.

M. Tullius Cicero, Pro Sestio 100

The European Parliament,

- having regard to Articles 6 and 7 of the Treaty on European Union and to Article 309 of the Treaty establishing the European Community,
- having regard to the Charter of Fundamental Rights of the European Union, signed in Nice on 7 December 2000 ⁽¹⁾,

⁽¹⁾ OJ C 364, 18.12.2000, p. 1.

Tuesday 20 April 2004

- having regard to the draft Treaty establishing a Constitution for Europe drawn up by the Convention on the Future of Europe⁽¹⁾,
 - having regard to the Commission communication (COM(2003) 606 — C5-0594/2003),
 - having regard to Rules 47(2) and 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0227/2004),
- A. whereas Article 6 of the EU Treaty establishes the European Union as a community of values and fundamental rights and enshrines the principle of respect for fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the traditions of the Member States,
- B. whereas respect for the values on which the Union is based is a precondition for membership of and involvement with the Union, and whereas a serious and persistent breach of those values may lead to the imposition of the penalties referred to in Article 7,
- C. whereas the Charter of Fundamental Rights of the European Union has been solemnly proclaimed by the European Council and the European Parliament, whereas it has been accepted by the European Commission, and has been taken into account by the European Court of Justice,
- D. whereas the Convention on the Future of Europe incorporated the Charter of Fundamental Rights into its draft Constitution,
- E. whereas Article 2 of the draft Treaty establishing a Constitution for Europe places respect for human dignity at the head of the list of values on which the Union is founded, expands that list to include respect for equality and makes clear that these values are common to the Member States, whose societies are characterised by pluralism, tolerance, justice, solidarity and non-discrimination,
- F. whereas the same draft constitutional Treaty confirms the texts incorporated successively by the Treaty of Amsterdam and by the Treaty of Nice into the basic Treaties in the form of Article 7, and whereas this draft has clarified the texts by transforming them into Article 58, which lays down the Union's power,
- G. whereas all the European Union Member States are members of the United Nations and the principle of the rule of law therefore embraces respect for international law and the United Nations Charter,
1. Welcomes the Commission's initiative as an important contribution to closer cooperation among all EU institutions on protecting the values of the Union and, hence, human rights and fundamental freedoms;
 2. Takes the view that, when determining whether a clear risk of a breach of the principles referred to in Article 6(1), pursuant to Article 7(1), or a serious and persistent breach, pursuant to Article 7(2), exists, a higher standard of protection of fundamental rights is needed than that proposed by the Commission;
 3. Takes the view that, when Article 7 is applied, due attention must be paid to political phenomena which must be regarded as clear risks of a breach or as serious and persistent breaches of the values on which the Union is based and which do not merely constitute a series of individual breaches of the law: failures by a Member State to act on violations of human rights, tolerance of such violations, or the promotion of a climate or social conditions in which individuals rightly feel threatened must be recognised as a clear risk of a breach of the Union's values and its citizens' fundamental freedoms;
 4. Does not share the Commission's conviction that 'in this Union of values it will not be necessary to apply penalties pursuant to Article 7 of the EU Treaty and Article 309 of the EC Treaty'; takes the view, instead, that ignoring the possible need for penalties must create the impression that the Union is not prepared or is not in a position to use all the means at its disposal to defend its values;

⁽¹⁾ OJ C 169, 18.7.2003, p. 1.

Tuesday 20 April 2004

5. Notes that neither the Treaty of Nice nor the draft Constitution enhance the nature or extend the scope of the measures involving the suspension of rights which the Council of Ministers may decide to take;

6. Emphasises that the Treaty, by stipulating that Parliament must give its assent prior to any decision by the Council, and by granting Parliament the right to call for a procedure to be opened in the event of a clear risk of a serious breach, acknowledges Parliament's special role as an advocate for European citizens; takes the view that, when performing that special role, Parliament must exercise its powers in defending common principles, values and fundamental rights in a non-partisan, prudent, responsible and fair manner;

7. Takes the view, therefore, that, notwithstanding all necessary consultations and exchanges of information among the European institutions, its definitive opinion must be based on its independent decision;

8. Emphasises its particular responsibility as the directly elected representative of European citizens in defending democracy, the rule of law and fundamental rights;

9. Welcomes the extension of its role under the Article 7 procedure brought about by the Treaty of Nice; takes the view that the lack of a right of initiative for Parliament in the procedure laid down to deal with serious breaches should in no way prevent Parliament from carrying out its normal role, so that, although at present it may not be able to submit a formal request on the basis of the law, there is nothing to stop it from using its supervisory powers to make a political call for action by the Council;

10. Emphasises that, in order to determine the existence of a clear risk of a serious breach (Article 7(1) of the EU Treaty) or of a serious and persistent breach (Article 7(2) of the EU Treaty) of common principles, the Council needs Parliament's assent; it is thus all the more necessary for the above-mentioned conditions to be fulfilled;

11. States that the following principles should underpin the application of Article 7 of the EU Treaty and, in particular, the requirement that it should give its assent when breaches are established pursuant to paragraphs 1 and 2, and calls on the Commission and Council likewise to respect the following principles:

(a) Principle of confidence

The Union looks to its Member States to take active steps to safeguard the Union's shared values and states, on this basis, that as a matter of principle it has confidence in:

- the democratic and constitutional order of all Member States and in the ability and determination of their institutions to avert risks to fundamental freedoms and common principles,
- the authority of the European Court of Justice and of the European Court of Human Rights.

Union intervention pursuant to Article 7 of the EU Treaty must therefore be confined to instances of clear risks and persistent breaches and may not be invoked in support of any right to, or policy of, permanent monitoring of the Member States by the Union. Nevertheless, the Member States, accession countries and candidate countries must continue to develop democracy, the rule of law and respect for fundamental rights further and, where necessary, implement or continue to implement corresponding reforms;

The principle of confidence does not stand in the way of greater use of the services of the European Monitoring Centre for Racism and Xenophobia; if appropriate, the role of the Monitoring Centre could be revised with a view to providing independent and objective scrutiny on a broader basis;

(b) Principle of plurality

The Union respects the plurality of ideologies, political objectives and values and the democratic competition between them on the basis of fundamental rights and common values. Parliament, the Council and the Commission must therefore ensure that no improper use is made of the procedures under Article 7 of the EU Treaty as instruments of political opposition;

(c) Principle of equality

In connection with the application of Article 7 of the EU Treaty, the Union acknowledges the principle of strict equality of treatment of all Member States irrespective of size, political orientation, financial contribution to the Union budget, length of membership of the Union or other differences;

Tuesday 20 April 2004

(d) Principle of openness

All decisions taken under Article 7 of the EU Treaty would thus need to be as credible as possible to European citizens. Without prejudice to diplomatic consultations and other political talks, the procedures must be transparent, understandable and open to the public;

12. Regards it as advisable, once the new Parliament and the new Commission have taken office, to embark on an interinstitutional dialogue on a set of common criteria and the above-mentioned principles governing the opening of the Article 7 procedure with a view to organising cooperation and the exchange of all essential information among the European institutions;

13. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States and accession countries.

Wednesday 21 April 2004

(2004/C 104 E/03)

MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Pat COX

President

1. Opening of sitting

The sitting opened at 09.05.

The following spoke:

- Enrique Barón Crespo, on behalf of the PSE Group, who deplored the decision to postpone the vote on the report by Johanna L.A. Boogerd-Quaak (A5-0230/2004) to Thursday and who asked that it be put to the vote that same day (the President replied that this decision had been taken as it had proved impossible to prepare the vote for Wednesday, given the large number of amendments and requests for separate votes, split votes or roll-call votes);
- Graham R. Watson, on behalf of the ELDR Group, who called on the PPE-DE Group to withdraw its amendments and asked for an assurance that the report would be put to the vote (the President indicated that the matter would be addressed at the start of voting time that day);
- Hans-Gert Poettering, on behalf of the PPE-DE Group, who pointed out that his Group was not the only one to have put forward amendments;
- Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, first on Hans-Gert Poettering's remark, then to ask that a decision be taken at midday as to when the report would be put to the vote;
- Sarah Ludford on voting procedure;
- Sylvia-Yvonne Kaufmann, on behalf of the GUE/NGL Group, who approved the President's decision and asked that the vote be taken on the report;
- Marie-Françoise Duthu who asked the President to intervene with the French Minister of Foreign Affairs in order to obtain a visa as a matter of urgency for Mr Akhmed Zakaiev, Deputy Prime Minister of the Government of Chechnya, who had been invited to Strasbourg that evening for a hearing (the President asked her to provide his office with the necessary information and indicated that he would see to the matter);
- Efstratios Korakas who objected to the moving to the end of the sitting on Monday of the one-minute speeches on matters of political importance (the President replied that this was an exceptional measure taken because of the heavy workload);
- Patricia McKenna, on behalf of the Verts/ALE Group, who found the compromise proposed by the Irish Council Presidency unacceptable, following the Parliament's vote on the report by Albert Jan Maat on the protection of animals during transport (P5_TA(2004)0222 of 30 March 2004);
- Christian Foldberg Røvsing on the last speaker's remarks.

2. Documents received

The following documents had been received:

1) *from the Council and Commission:*

- Amended proposal for a Directive of the European Parliament and of the Council on the recognition of professional qualifications (COM(2004) 317 — C5-0191/2004 — 2002/0061(COD))
 - referred to responsible: JURI
 - opinion: EMPL, ENVI, CULT, PETI
 - legal basis: Article 40 EC, Article 47 (1) (2) EC

Wednesday 21 April 2004

2) *from committees*

- Report on the request for defence of parliamentary immunity and privileges submitted by Umberto Bossi (2003/2171(IMM)) — Committee on Legal Affairs and the Internal Market.
Rapporteur: Kurt Lechner (A5-0281/2004)
- Report on the request for defence of parliamentary immunity and privileges submitted by Umberto Bossi (2003/2172(IMM)) — Committee on Legal Affairs and the Internal Market.
Rapporteur: Kurt Lechner (A5-0282/2004)3) from the Conciliation Committee

3) *from the conciliation committee*

- ***III Joint Text approved by the Conciliation Committee for a 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 (PE-CONS 3638/2004 — C5-0153/2004 — 2002/0022(COD))
referred to responsible: RETT
opinion: JURI
legal basis: Article 71 (1) EC
- ***III Joint Text approved by the Conciliation Committee for a 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 (PE-CONS 3639/2004 — C5-0154/2004 — 2002/0023(COD))
referred to responsible: RETT
opinion: JURI, ITRE
legal basis: Article 71 EC, Article 156 EC
- ***III Joint Text approved by the Conciliation Committee for a Regulation of the European Parliament and of the Council establishing a European Railway Agency (PE-CONS 3640/2004 — C5-0155/2004 — 2002/0024(COD))
referred to responsible: RETT
opinion: BUDG, CONT, JURI, ITRE
legal basis: Article 71 (1) EC
- ***III Joint Text approved by the Conciliation Committee Directive of the European Parliament and of the Council amending Council directive 91/440/EEC on the development of the Community's railways (PE-CONS 3641/2004 — C5-0156/2004 — 2002/0025(COD))
referred to responsible: RETT
opinion: JURI
legal basis: Article 71 (1) EC

3. Decisions concerning certain documents**Referral to Committee**

ECON Committee:

- Commission recommendation on the 2004 update of the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period). (COM(2004) 238 — C5-0183/2004 — 2004/2020(INI))

4. Cyprus (statements followed by debate)

Council and Commission statements: Prospects for unification of Cyprus before its accession to the European Union

Dick Roche (President-in-Office of the Council) and Günther Verheugen (Member of the Commission) made the statements.

Wednesday 21 April 2004

The following spoke: Elmar Brok, on behalf of the PPE-DE Group, Jacques F. Poos, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Hans Modrow, on behalf of the GUE/NGL Group, Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Koenraad Dillen, Non-attached Member, Arie M. Oostlander, Mechtild Rothe, Chris Davies, Mihail Papayannakis, Nelly Maes, Antonios Trakatellis, Giorgos Katiforis, Sarah Ludford, Konstantinos Alyssandrakis, Charles Tannock, Ioannis Souladakis, Ioannis Marinos, Dimitris Tsatsos, Giorgos Dimitrakopoulos, Dick Roche and Christopher Patten (Member of the Commission).

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

- Jacques F. Poos, on behalf of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, on Cyprus (B5-0188/2004)

The debate closed.

Vote: *Item 10.25*

5. Situation in the Middle East (statements followed by debate)

Council and Commission statements: Situation in the Middle East

Dick Roche (President-in-Office of the Council) made the statement.

IN THE CHAIR: David W. MARTIN

Vice-President

Christopher Patten (Member of the Commission) made the statement.

The following spoke: Armin Laschet, on behalf of the PPE-DE Group, Emilio Menéndez del Valle, on behalf of the PSE Group, Sarah Ludford, on behalf of the ELDR Group, Per Gahrton, on behalf of the Verts/ALE Group, Jan Dhaene, Proinsias De Rossa and Dick Roche.

The debate closed.

6. Transatlantic relations (statements followed by debate)

Council and Commission statements: Transatlantic relations

Dick Roche (President-in-Office of the Council) made the statement.

IN THE CHAIR: Ingo FRIEDRICH

Vice-President

Christopher Patten (Member of the Commission) made the statement.

The following spoke: Ilkka Suominen, on behalf of the PPE-DE Group, Jan Marinus Wiersma, on behalf of the PSE Group, and Ole Andreasen, on behalf of the ELDR Group.

The debate was suspended at that point for voting time.

It would be resumed at 15.00 (*Item 16*).

Wednesday 21 April 2004

IN THE CHAIR: Pat COX

President

7. Announcement by the President (allegations of fraud)

The President made the following announcement:

Colleagues, on Wednesday 31 March I made a statement to the House about a number of newspaper articles and television reports concerning allegations made about Members of this House, purportedly on the basis of interviews and comments given by one of our Members, Mr Hans-Peter Martin. I informed the House at that time that when allegations are made, they are thoroughly and promptly investigated by the relevant services and appropriate action is taken. I went on to invite Mr Martin, if he had information concerning possible wrongdoing, misuse of funds or irregularities, to draw these to my attention so that they could be appropriately investigated. It was his duty as a Member of the House.

Belatedly, late on Monday night, he sent me a letter that makes detailed criticisms of the allowance system that we have for Members. He further makes specific allegations — two concerning meetings of a political group outside the working places — and he also lists 7 000 cases where Members have claimed allowances in circumstances which he claims to be inappropriate, for example, when Members have signed the central attendance register and not attendance lists for parliamentary meetings.

As regards the specific points, I have asked the political group concerned to give me further information about the two meetings indicated. On the more general point of the central attendance register, it is clear to me that Mr Martin is criticising the system and a specific Rule. However, there is no indication whatsoever that Members have broken the Rules of this House.

On the wider point, he fails to acknowledge the important progress that has been made by Parliament in reforming our rules and regulations to ensure greater transparency and accountability and to respond promptly to any points that have been brought to our attention by the Court of Auditors in its annual or specific reports and which have highlighted possible shortcomings in our rules.

Specific reforms on travel allowances, on the secretarial allowance and other allowances have been decided by the Bureau and by the Quaestors under the presidencies of Mr Hänsch, Mr Gil-Robles Gil-Elgado, Mrs Fontaine and also during my mandate.

At the outset of my mandate I sought a global reform based on two main elements: firstly, fair treatment of Members of this House on the basis of equality, and secondly, transparency on allowances to be based on costs incurred. Until the beginning of this year we, in Parliament, were hopeful because we had made the compromises necessary, that the Council could agree to this package. At the very last moment a minority of Member States blocked this reform. That has not prevented the Bureau and other bodies of this House from examining further reforms on an incremental basis. It would have been more helpful and, in my view, more fruitful had Mr Martin associated himself with this drive for reform in committee and in plenary rather than by conducting a campaign, the main purpose of which appears to have been to seek to discredit the institution, to call into question the honour of Members of this House and to wreak maximum damage — on zero evidence — to individuals, their careers and their families.

In the times in which we live, it is very easy to blacken the reputation of public figures. It is extremely difficult to counteract slurs and partial information once these have been launched in certain sections of the media.

The Rules of this House are a work in progress. Historically, we are still a relatively new Parliament and are constantly evolving. From May onwards, we have to find systems that are fair for elected representatives from 25 Member States.

One area that has not been regulated concerns the behaviour of Members. It is my personal view, however, that the secret filming of Members and the secret recording of their conversations is unacceptable in every circumstance, most of all when it is done by a fellow Member.

Wednesday 21 April 2004

These are methods that are reminiscent of another time and another place.

When we talk about standards of behaviour in this House, the way in which we behave towards each other is an important consideration in those standards. This House has always stood up for the rights of whistle-blowers, but we also expect whistle-blowers to exhaust the available and proper procedures. Here, it appears to me that no attempt has been made to use the normal procedures of this House, which have been bypassed in a grotesque attempt to maximise personal publicity.

I shall reply to Mr Martin in detail. The specific cases that he raises will be looked into with the cooperation of the Members and the Groups concerned. But let me repeat that on the basis of what he has sent to me, there is zero evidence to support his claims of wrongdoing or breaches of the Rules. Let me place on the record my deep personal disapproval of the methods employed by our esteemed colleague.

Hans-Peter Martin made a personal statement following this announcement.

Several Members having asked to speak, the President indicated that it was not possible to allow a debate, given the heavy voting session ahead.

Enrique Barón Crespo assured the President of the PSE Group's support.

8. Voting time

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

8.1. 2005 EP part-sessions calendar (vote)

Calendar of part-sessions for 2005: see proposals of Conference of Presidents (*Minutes of 19.04.2004, Item 8*)

Vote

(Simple majority)

(Voting record: Annex I, Item 1)

The calendar of part-sessions for 2005 was set as follows:

10 to 13 January
26 to 27 January
21 to 24 February
7 to 10 March
11 to 14 April
27 and 28 April
9 to 12 May
25 and 26 May
6 to 9 June
22 and 23 June
4 to 7 July
5 to 8 September
26 to 29 September
12 and 13 October
24 to 27 October
14 to 17 November
30 November and 1 December
12 to 15 December

Charles Tannock protested against the fact that an amendment aiming to suppress the plenary sessions in Strasbourg had been declared inadmissible, and felt that the matter should be referred to the Court of Justice.

Avril Doyle spoke on amendment 2.

Wednesday 21 April 2004

8.2. EC-USA agreement on PNR (request for an opinion from the Court of Justice) (vote)

(Simple majority)

(Voting record: Annex I, Item 2)

The President recalled that on Monday he had read out a letter from the Chairman of the JURI Committee recommending that the opinion of the Court of Justice of the European Communities be sought on the proposal for a Council decision on the conclusion of an Agreement between the European Community and the United States of America on the processing and transfer of PNR data by Air Carriers to the United States Department of Homeland Security, Bureau of Customs and Border Protection, and that Frits Bolkestein and Christopher Patten had stated the Commission's position on the matter (*Minutes of 19.04.2004, Item 15 and Minutes of 20.04.2004, Item 28*).

The following spoke: Christopher Patten (Member of the Commission), Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Graham R. Watson, on behalf of the ELDR Group, Anna Terrón i Cusí, on behalf of the PSE Group, Klaus-Heiner Lehne, on behalf of the PPE-DE Group, Marco Cappato, Non-attached Member, and Johanna L.A. Boogerd-Quaak (rapporteur).

The President consulted the House as to whether a formal request for an opinion should be submitted to the Court concerning the compatibility of the agreement with the provisions of the Treaties.

Parliament approved the submission of a request for an opinion to the Court by EV (276 for, 260 against, 13 abstentions).

Graham R. Watson spoke.

9. Official welcome

On behalf of Parliament, the President welcomed a delegation from the Rwandan Parliament to the official gallery.

10. Voting time (continued)

10.1. Freedom of expression and information (decision on voting procedure)

Report Boogerd-Quaak — A5-0230/2004

The President announced that 338 amendments had been tabled to the report and that 51 pages of requests for roll-call votes, split votes and separate votes had been forwarded to the voting services, which had therefore been unable to prepare the vote in time for that day's voting time.

Referring to the interpretation of Rule 19(1) and to Rule 130, the President, while acknowledging the political groups' right to table requests in accordance with the provisions of the Rules, made the following proposal:

- the vote would be taken on Thursday at 12.00,
- a normal vote on the amendments would be authorised, but not split votes or roll-call votes,
- requests for split votes would be allowed on the original paragraphs of the motion for a resolution, as would a single roll-call vote per paragraph, in accordance with the indications given by the Groups.

Should the House not agree to this proposal, the vote would be taken pursuant to Rule 130(3), which meant that the original text of the report would be put to the vote first, paragraph by paragraph.

Wednesday 21 April 2004

The following spoke on this proposal: Enrique Barón Crespo, on behalf of the PSE Group, Hans-Gert Poettering, on behalf of the PPE-DE Group, Graham R. Watson, on behalf of the ELDR Group, Monica Frassoni, on behalf of the Verts/ALE Group, Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group, Cristiana Muscardini, on behalf of the UEN Group, Johanna L.A. Boogerd-Quaak (rapporteur) and Jorge Salvador Hernández Mollar, chairman of the LIBE Committee.

Parliament rejected the proposal by RCV (President) (214 for, 294 against, 15 abstentions).

The vote would therefore take place in accordance with Rule 130(3).

The following spoke: Johannes (Hannes) Swoboda on the timetable for Thursday's sitting, Jorge Salvador Hernández Mollar who made a personal statement in response to remarks by Enrique Barón Crespo to the effect that certain documents had disappeared in the LIBE Committee, Enrique Barón Crespo who offered to provide information on the matter to the Bureau (the President asked him before the end of the part-session either to substantiate or withdraw his remarks), Jorge Salvador Hernández Mollar, Guido Podestà and José Ribeiro e Castro, the last two on voting procedure.

José Ribeiro e Castro asked for the report to be referred back to Committee under Rule 144 (the President told him that he could make this request at the time of the vote in accordance with the provisions of that same Rule).

IN THE CHAIR: Guido PODESTÀ

Vice-President

10.2. Common rules for carriage of goods by road *I (Rule 110a) (vote)**

Report on the proposal for a directive of the European Parliament and of the Council on the establishment of common rules for certain types of carriage of goods by road (Codified version) [COM(2004) 47 – C5-0055/2004 – 2004/0017(COD)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Giuseppe Gargani (A5-0250/2004)

(Simple majority)

(Voting record: Annex I, Item 3)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0310)

10.3. Quality of fresh water needed for fish *I (Rule 110a) (vote)**

Report on the proposal for a directive of the European Parliament and of the Council on the quality of fresh waters needing protection or improvement in order to support fish life (Codified version) [COM(2004) 19 – C5-0038/2004 – 2004/0002(COD)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Giuseppe Gargani (A5-0252/2004)

(Simple majority)

(Voting record: Annex I, Item 4)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0311)

Wednesday 21 April 2004

10.4. UNECE specifications for motor fuels * (Rule 110a) (vote)**

Recommendation on the proposal for a Council decision on the position of the European Community on the draft regulation of the United Nations Economic Commission for Europe on the technical specifications for the burning behaviour of materials used in the interior construction of motor vehicles [5049/2004 – C5-0106/2004 – 2003/0247(AVC)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Luis Berenguer Fuster (A5-0238/2004)

(Simple majority)

(Voting record: Annex I, Item 5)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0312)

10.5. UNECE regulation to protect motor vehicles against unauthorised use * (Rule 110a) (vote)**

Recommendation on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use [5048/2004 – C5-0105/2004 – 2003/0248(AVC)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Luis Berenguer Fuster (A5-0240/2004)

(Simple majority)

(Voting record: Annex I, Item 6)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0313)

10.6. UNECE regulation on tyre rolling noise * (Rule 110a) (vote)**

Recommendation on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform prescriptions concerning the type approval of tyres with respect to tyre rolling noise [5047/2004 – C5-0107/2004 – 2003/0254(AVC)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Luis Berenguer Fuster (A5-0239/2004)

(Simple majority)

(Voting record: Annex I, Item 7)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0314)

Wednesday 21 April 2004

10.7. Re-exportation and re-dispatch of products covered by the specific supply arrangements * (Rule 110a) (vote)

Report on the proposal for a Council Regulation amending Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards the conditions for the re-exportation and re-dispatch of products covered by the specific supply arrangements [COM(2004) 155 – C5-0129/2004 – 2004/0051(CNS)] – Committee on Agriculture and Rural Development.

Rapporteur: Joseph Daul (A5-0231/2004)

(Simple majority)

(Voting record: Annex I, Item 8)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0315)

10.8. Interest and royalty payments made between associated companies of different Member States * (Rule 110a) (vote)

Report amending Directive 2003/49/EC as regards the possibility for certain Member States to apply transitional periods for the application of a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States [COM(2004) 243 – C5-0187/2004 – 2004/0076(CNS)] – Committee on Economic and Monetary Affairs.

Rapporteur: Christa Randzio-Plath (A5-0276/2004)

(Simple majority)

(Voting record: Annex I, Item 9)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0316)

10.9. Community participation in the European Audiovisual Observatory *I (Rule 110a) (vote)**

Report on the proposal for a decision of the European Parliament and of the Council amending Council Decision N 1999/784/EC concerning Community participation in the European Audiovisual Observatory [COM(2003) 763 – C5-0622/2003 – 2003/0293(COD)] – Committee on Culture, Youth, Education, the Media and Sport.

Rapporteur: Maria Johanna (Marieke) Sanders-ten Holte (A5-0241/2004)

(Simple majority)

(Voting record: Annex I, Item 10)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0317)

10.10. WHO Framework Convention on Tobacco Control * (Rule 110) (vote)

Report on the proposal for a Council decision concerning the conclusion of the World Health Organisation Framework Convention on Tobacco Control [COM(2003) 807 – C5-0028/2004 – 2003/0316(CNS)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Jules Maaten (A5-0226/2004)

(Simple majority)

(Voting record: Annex I, Item 11)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0318)

Wednesday 21 April 2004

10.11. Fruit jams, jellies and marmalades * (Rule 110a) (vote)

Report on the proposal for a Council directive amending Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption [COM(2004) 151 – C5-0128/2004 – 2004/0052(CNS)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Caroline F. Jackson (A5-0251/2004)

(Simple majority)

(Voting record: Annex I, Item 12)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0319)

10.12. 2002 discharge: decentralised agencies (Rule 110a) (vote)

Report on the discharges for 2002 to the:

1. European Agency for Reconstruction [C5-0632/2003 – 2003/2242(DEC)]
2. European Agency for Safety and Health at Work [C5-0636/2003 – 2003/2246(DEC)]
3. European Environment Agency [C5-0635/2003 – 2003/2245(DEC)]
4. European Agency for the Evaluation of Medicinal Products [C5-0638/2003 – 2003/2255(DEC)]
5. Translation Centre for the Bodies of the European Union [C5-0637/2003 – 2003/2247(DEC)]
6. European Centre for the Development of Vocational Training [C5-0630/2003 – 2003/2240(DEC)]
7. Eurojust [C5-0662/2003 – 2003/2256(DEC)]
8. European Training Foundation [C5-0641/2003 – 2003/2259(DEC)]
9. European Foundation for the Improvement of Living and Working Conditions [C5-0631/2003 – 2003/2241(DEC)]
10. European Monitoring Centre for Drugs and Drug Addiction [C5-0634/2003 – 2003/2244(DEC)]
11. European Monitoring Centre on Racism and Xenophobia [C5-0633/2003 – 2003/2243(DEC)] – Committee on Budgetary Control.

Rapporteur: Jan Mulder (A5-0212/2004)

(Simple majority)

(Voting record: Annex I, Item 13)

PROPOSALS FOR DECISIONS

Adopted by single vote (P5_TA(2004)0320 to P5_TA(2004)0330)

MOTIONS FOR RESOLUTIONS

Adopted by single vote (P5_TA(2004)0320 to P5_TA(2004)0330)

10.13. 2002 discharge: ECSC (Rule 110a) (vote)

Report concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002 [C5-0646/2003 – 2003/2218(DEC)] – Committee on Budgetary Control.

Rapporteur: Heide Rühle (A5-0201/2004)

(Simple majority)

(Voting record: Annex I, Item 14)

MOTION FOR A RESOLUTION

Adopted by single vote (P5_TA(2004)0331)

Wednesday 21 April 2004

10.14. Development of the trans-European transport network *II (vote)**

Recommendation for second reading on the common position of the Council with a view to adopting a decision of the European Parliament and of the Council amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European transport network [5762/1/2004 – C5-0184/2004 – 2001/0229(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Philip Charles Bradbourn (A5-0278/2004)

(Qualified majority)

(Voting record: Annex I, Item 15)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2004)0332)

The following spoke:

Georg Jarzembowski drew attention to a mistake in the German version of the common position.

10.15. Agricultural holdings after enlargement *I (vote)**

Report on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings after enlargement [COM(2003) 605 – C5-0477/2003 – 2003/0234(COD)] – Committee on Budgets.

Rapporteur: Reimer Böge (A5-0194/2004)

(Simple majority)

(Voting record: Annex I, Item 16)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0333)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0333)

10.16. Financial Instrument for the Environment (LIFE) *I (vote)**

Report on the proposal for a European Parliament and Council regulation amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE) [COM(2003) 667 – C5-0527/2003 – 2003/0260(COD)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Caroline F. Jackson (A5-0137/2004)

(Simple majority)

(Voting record: Annex I, Item 17)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0334)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0334)

Wednesday 21 April 2004

10.17. EC-USA agreement on PNR * (vote)

Report on the proposal for a Council decision on the conclusion of an Agreement between the European Community and the United States of America on the processing and transfer of PNR data by Air Carriers to the United States Department of Homeland Security, Bureau of Customs and Border Protection [COM(2004) 190 – C5-0162/2004 – 2004/0064(CNS)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Johanna L.A. Boogerd-Quaak (A5-0271/2004)

(Simple majority)

(Voting record: Annex I, Item 18)

Johanna L.A. Boogerd-Quaak, on behalf of the ELDR Group, asked for the report to be referred back to Committee under Rule 144(1) to give the Court of Justice time to deliver its opinion (*see Item 8.2*). The following spoke on this request: Graham R. Watson and Jorge Salvador Hernández Mollar, Chairman of the LIBE Committee.

Parliament approved the request by EV (299 for, 218 against, 6 abstentions).

10.18. Stamping of travel documents * (vote)

Report on the proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the common manual to this end [COM(2003) 664 – C5-0580/2003 – 2003/0258(CNS)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Roberta Angelilli (A5-0229/2004)

(Simple majority)

(Voting record: Annex I, Item 19)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0335)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0335)

10.19. European Monitoring Centre for Drugs and Drug Addiction * (vote)

Report on the proposal for a Council regulation on the European Monitoring Centre for Drugs and Drug Addiction (recast) [COM(2003) 808 – C5-0060/2004 – 2003/0311(CNS)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Ozan Ceyhun (A5-0248/2004)

(Simple majority)

(Voting record: Annex I, Item 20)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0336)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0336)

Wednesday 21 April 2004

10.20. 2002 discharge: Section III of the general budget (vote)

Report on the discharge to be granted for the implementation of the general budget of the European Union for 2002 (Commission) [SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC)] – Committee on Budgetary Control.

Rapporteur: Juan José Bayona de Perogordo (A5-0200/2004)

(Simple majority)

(Voting record: Annex I, Item 21)

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0337)

2. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0337)

3. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0337)

10.21. 2002 discharge: 6th, 7th and 8th EDF (vote)

Report on the discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the 2002 financial year [COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC)] – Committee on Budgetary Control.

Rapporteur: Jonas Sjöstedt (A5-0183/2004)

(Simple majority)

(Voting record: Annex I, Item 22)

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0338)

2. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0338)

3. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0338)

10.22. 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget (vote)

Report on the discharge to be granted for the implementation of the 2002 budget:

1. Section II, Council
2. Section IV, Court of Justice
3. Section V, Court of Auditors
4. Section VI, Economic and Social Committee
5. Section VII, Committee of the Regions
6. Section VIII, Ombudsman

[I5-0034/2004 – C5-0088/2004 – 2003/2212(DEC), 2003/2213(DEC), 2003/2214(DEC), 2003/2215(DEC), 2003/2216(DEC), 2003/2217(DEC)] – Committee on Budgetary Control.

Rapporteur: Gabriele Stauner (A5-0228/2004)

(Simple majority)

(Voting record: Annex I, Item 23)

Section II, Council

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0339)

Wednesday 21 April 2004

2. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0339)

Section IV, Court of Justice

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0340)

2. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0340)

Section V, Court of Auditors

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0341)

2. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0341)

Section VI, Economic and Social Committee

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0342)

2. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0342)

Section VII, Committee of the Regions

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0343)

2. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0343)

Section VIII, European Ombudsman

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0344)

2. MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0344)

10.23. 2002 discharge: Section I of the general budget (vote)

Report concerning discharge in respect of the implementation of the general budget of the European Union of the 2002 financial year
Section I – European Parliament [I5-0034/2004 – C5-0088/2004 – 2003/2211(DEC)] – Committee on Budgetary Control.

Rapporteur: Michiel van Hulten (A5-0218/2004)

(Simple majority)

(Voting record: Annex I, Item 24)

1. PROPOSAL FOR A DECISION

Adopted (P5_TA(2004)0345)

Wednesday 21 April 2004

2.MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0345)

The following spoke:

- Jean-Louis Bourlanges and Michiel van Hulten, rapporteur,
- Freddy Blak and Helmut Kuhne pointed out that amendments 23 to 32 fell as a result of the adoption of amendment 44,
- Markus Ferber and Hans-Peter Martin on the previous speaker's remarks,
- Michiel van Hulten on the outcome of the vote.

10.24. Modernising company law and enhancing corporate governance (vote)

Report on modernising company law and enhancing corporate governance: action plan. [COM(2003) 284 — C5-0378/2003 — 2003/2150(INI)] — Committee on Legal Affairs and the Internal Market.

Rapporteur: Fiorella Ghilardotti (A5-0253/2004)

(Simple majority)

(Voting record: Annex I, Item 25)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0346)

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The following spoke: Richard A. Balfe who asked, in view of the time, that voting be suspended at that point, and Jacques F. Poos who asked for the motion for a resolution on Cyprus (B5-0188/2004), at least, to be put to the vote.

Parliament decided by EV (210 for, 257 against, 13 abstentions) not to suspend voting.

The President decided to put to the vote next the motion for a resolution on Cyprus.

10.25. Cyprus (vote)

Motion for a resolution B5-0188/2004

(Simple majority)

(Voting record: Annex I, Item 26)

Adopted (P5_TA(2004)0347)

10.26. Single payment area (vote)

Report on a legal framework for a single payment area [2003/2101(INI)] — Committee on Economic and Monetary Affairs.

Rapporteur: Alexander Radwan (A5-0192/2004)

(Simple majority)

(Voting record: Annex I, Item 27)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0348)

Wednesday 21 April 2004

10.27. Integrated product policy (vote)

Report on the communication from the Commission to the Council and the European Parliament: Integrated Product Policy: Building on Environmental Life-Cycle Thinking [COM(2003) 302 — C5-0550/2003 — 2003/2221(INI)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Anders Wijkman (A5-0261/2004)

(Simple majority)

(Voting record: Annex I, Item 28)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0349)

The following spoke:

- The rapporteur moved 2 oral amendments.

10.28. Safety at sea (vote)

Report on improving safety at sea [2003/2235(INI)] — Temporary committee on improving safety at sea.

Rapporteur: Dirk Sterckx (A5-0257/2004)

(Simple majority)

(Voting record: Annex I, Item 29)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0350)

The following spoke:

- Georg Jarzembowski asked before the vote that this item at least also be put to the vote,
- Michael Cashman and Dana Rosemary Scallon on the voting lists,
- Daniel Varela Suanzes-Carpegna pointed out that the authoritative version of amendment 2 was the English one.

11. Agenda

The President announced that, given the large number of votes scheduled for the following day, Thursday's sitting would begin at 09.00 instead of 10.00; voting would start at 11.00, and would include any items voted that day due to lack of time.

12. 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: Bradbourn — A5-0278/2004

- Jean-Maurice Dehousse, Sebastiano (Nello) Musumeci

Motion for a resolution: Cyprus — B5-0188/2004

- Georges Berthu

Wednesday 21 April 2004

Report van Hulten — A5-0218/2004

— Jean-Maurice Dehousse

Report Sterckx — A5-0257/2004

— Peter Pex

13. Corrections to votes

Corrections to votes were submitted by the following Members:

Recommendation for second reading: Bradbourn — A5-0278/2004

- amendment 2
for: Marialiese Flemming, Ursula Stenzel
- amendment 3
for: Giovanni Procacci, Giorgio Napolitano

Report Jackson — A5-0137/2004

- amendment 9
against: Karin Riis-Jørgensen

Report Bayona de Perogordo — A5-0200/2004

- Proposal for a decision (discharge)
against: Inger Schörling, Jeffrey William Titford, Nigel Paul Farage, Graham H. Booth
- paragraph 13, indent 4
for: Marie-Françoise Garaud
- amendment 11
against: Pervenche Berès

Report van Hulten — A5-0218/2004

- amendment 2/rev.
for: Torben Lund, Marie-Hélène Descamps, Marie-Thérèse Hermange, Ewa Hedkvist Petersen
- amendment 3/rev and 6 (identical)
for: Marie-Hélène Descamps, Marie-Thérèse Hermange, Eija-Riitta Anneli Korhola, Colette Flesch
against: Dana Rosemary Scallon, Glyn Ford
- amendment 4/rev.
for: Lone Dybkjær, Marie-Hélène Descamps, Marie-Thérèse Hermange, Richard Corbett
against: Jacqueline Rousseaux, Dana Rosemary Scallon
- amendment 16
for: Françoise de Veyrinas, Feleknaš Uca
against: Inger Schörling, Sylvia-Yvonne Kaufmann, Olga Zrihen, Efstratios Korakas
- amendment 17
against: Sylvia-Yvonne Kaufmann
- amendment 18
against: Piia-Noora Kauppi
- amendment 19
against: Jean Lambert, Sylvia-Yvonne Kaufmann
- amendment 20
against: Sylvia-Yvonne Kaufmann, Bob van den Bos
- amendment 33
against: Dana Rosemary Scallon
abstention: Olga Zrihen

Wednesday 21 April 2004

- amendment 34, first part
against: Dana Rosemary Scallon
- amendment 35
for: Eija-Riitta Anneli Korhola
against: Colette Flesch, Dana Rosemary Scallon
abstention: Olga Zrihen, Efstratios Korakas
- amendment 39
for: Alexander Radwan, Seán Ó Neachtain, Liam Hyland, Richard A. Balfe, Joachim Wuermeling, Christian Foldberg Røvsing
against: Paul Rübig, Dana Rosemary Scallon
abstention: Marie-Françoise Garaud
- amendment 40
for: Paul Rübig, Marie-Thérèse Hermange, Marie-Hélène Descamps, Gérard M.J. Deprez, Christine De Veyrac, Véronique De Keyser, Joachim Wuermeling
against: Dana Rosemary Scallon
- amendment 44
for: Peter Liese, Evelyne Gebhardt, Margrietus J. van den Berg, Godelieve Quisthoudt-Rowohl, Joachim Wuermeling
against: Bárbara Dührkop Dührkop, Paul Rübig, Efstratios Korakas
- resolution (as a whole)
for: Torben Lund, Marie-Thérèse Hermange, Marie-Hélène Descamps, Glyn Ford, Karl-Heinz Florenz, Bill Newton Dunn

Report Ghilardotti — A5-0253/2004

- paragraph 21
for: Francesco Fiori
abstention: Caroline Lucas

Motion for a resolution: Cyprus — B5-0188/2004

- paragraph 2
for: Marie-Françoise Garaud, Alexander Radwan, Inger Schörling
against: Lennart Sacerdéus
- amendment 4
for: Marie-Françoise Garaud
- amendment 6
against: Marie-Françoise Garaud
- amendment 15
against: Marie-Françoise Garaud, Seán Ó Neachtain, Othmar Karas, Elisabeth Schroedter
- paragraph 11
for: Marie-Françoise Garaud, Othmar Karas, Elisabeth Schroedter
against: Marianne Eriksson
- resolution (as a whole)
for: Seán Ó Neachtain
abstention: Marie-Françoise Garaud, Anders Wijkman

Report Wijkman — A5-0261/2004

- amendment 7
for: Othmar Karas
- amendment 13
against: Othmar Karas
- amendment 15
for: Glyn Ford, Arlene McCarthy
against: Othmar Karas

Wednesday 21 April 2004

- amendment 19
against: Othmar Karas
- amendment 24
for: Othmar Karas
- resolution (as a whole)
for: Othmar Karas, Christine De Veyrac
against: Peder Wachtmeister

Report Sterckx — A5-0257/2004

- amendment 1, second part
for: Cristina García-Orcoyen Tormo, María del Pilar Ayuso González
against: Rosa M. Díez González
- amendment 3
for: Marianne L.P. Thyssen, Fodé Sylla, Íñigo Méndez de Vigo
against: Marie-Françoise Garaud, Carlos Carnero González, Francisca Sauquillo Pérez del Arco, Emmanouil Mastorakis
- amendment 4
for: Dominique F.C. Souchet, Georges Berthu, José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo, Marcelino Oreja Arburúa
- amendment 5
for: José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo
- amendment 9, second part
for: Íñigo Méndez de Vigo, José Manuel García-Margallo y Marfil, Cristina García-Orcoyen Tormo
- amendment 10
for: Elizabeth Montfort
against: Marie-Françoise Garaud
- amendment 11
for: Marianne L.P. Thyssen
- amendment 12
for: Marianne L.P. Thyssen, Íñigo Méndez de Vigo, José Manuel García-Margallo y Marfil, Salvador Garriga Polledo, Cristina García-Orcoyen Tormo
- amendment 13
for: José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo
against: Astrid Thors
- amendment 14
for: José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo
- amendment 16
for: José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo
against: Dana Rosemary Scallon
- amendment 18
for: José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo
against: Astrid Thors
- amendment 19
for: Astrid Thors
- amendment 21
for: Fodé Sylla, José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo, Cristina García-Orcoyen Tormo
- paragraph 39
for: Reino Paasilinna, Astrid Thors, Manuel Pérez Álvarez
against: Juan Ojeda Sanz, Manuel Pérez Álvarez, José Vila Abelló

Wednesday 21 April 2004

- paragraph 50, first part
for: María Antonia Avilés Perea
against: Yasmine Boudjenah, María del Pilar Ayuso González, Theresa Zabell
- paragraph 50, second part
against: María del Pilar Ayuso González, Theresa Zabell
- recital K
for: Nikolaos Chountis
against: José Manuel García-Margallo y Marfil, Íñigo Méndez de Vigo
- paragraph 7, second part
for: José Manuel García-Margallo y Marfil

Arlette Laguiller, Armonia Bordes and Chantal Cauquil were present but did not take part in the vote on report A5-0218/2004.

Bruno Gollnisch gave notice that he did not take part in all the votes.

(The sitting, suspended at 14.55, resumed at 15.00.)

IN THE CHAIR: James L.C. PROVAN

Vice-President

14. Approval of Minutes of previous sitting

Ilka Schröder had informed the Presidency that she had been present at the sitting of 20 April 2004 but that her name was not on the attendance register.

The Minutes of the previous sitting were approved.

15. Official welcome

On behalf of Parliament, the President welcomed Mr Avraham Burg, former Speaker of the Knesset, and Mr Yasser Abed Rabbo, former Minister for Information of the Palestinian Authority, who had taken their seats in the official gallery.

16. Transatlantic relations (continuation of debate)

The following spoke: Yasmine Boudjenah, on behalf of the GUE/NGL Group, Joost Lagendijk, on behalf of the Verts/ALE Group, Bastiaan Belder, on behalf of the EDD Group, Ward Beysen, Non-attached Member, James E.M. Elles, Johannes (Hannes) Swoboda, Pierre Jonckheer, José Ignacio Salafranca Sánchez-Neyra, Caroline Lucas, Gerard Collins, on behalf of the UEN Group, Philippe Morillon, Geoffrey Van Orden, Dick Roche (President-in-Office of the Council) and Elmar Brok, Chairman of the AFET Committee.

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

- Elmar Brok, on behalf of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy on the state of the Transatlantic Partnership on the eve of the EU-US Summit in Dublin on 25-26 June 2004 (B5-0185/2004)

The debate closed.

Vote: Minutes of 22.04.2004, Item 7.25

Wednesday 21 April 2004

17. Situation in Pakistan (debate)

Situation in Pakistan (Council and Commission statements)

Report on the proposal for a Council decision on the signing of the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan [8108/1999 – COM(1998) 357 – C5-0659/2001 – 1998/0199(CNS)] – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Elmar Brok (A5-0275/2004)

Dick Roche (President-in-Office of the Council) and Christopher Patten (Member of the Commission) made the statements.

Elmar Brok introduced the report.

The following spoke: Sarah Ludford (draftsman of the opinion of the LIBE Committee), Ulla Margrethe Sandbæk, (draftsman of the opinion of the DEVE Committee), John Walls Cushman, on behalf of the PPE-DE Group, and Johannes (Hannes) Swoboda, on behalf of the PSE Group.

IN THE CHAIR: Ingo FRIEDRICH

Vice-President

The following spoke: Per Gahrton, on behalf of the Verts/ALE Group, Glyn Ford, Jürgen Schröder, Catherine Guy-Quint, Richard Howitt, Charles Tannock, Dick Roche and Christopher Patten.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.24*

18. Human rights in 2003 and EU policy (debate)

Report on the annual report on human rights in the world in 2003 and the EU's human rights policy [2003/2005(INI)] – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Véronique De Keyser (A5-0270/2004)

Véronique De Keyser introduced the report.

The following spoke: Christopher Patten (Member of the Commission), Dick Roche (President-in-Office of the Council), Michael Gahler, on behalf of the PPE-DE Group, Richard Howitt, on behalf of the PSE Group, Bob van den Bos, on behalf of the ELDR Group, Yasmine Boudjenah, on behalf of the GUE/NGL Group, Matti Wuori, on behalf of the Verts/ALE Group, José Ribeiro e Castro, on behalf of the UEN Group, Ulla Margrethe Sandbæk, on behalf of the EDD Group, Philip Claeys, Non-attached Member, Geoffrey Van Orden, Maj Britt Theorin, Cecilia Malmström, Alain Krivine, Alima Boumediene-Thiery, Gianfranco Dell'Alba, Stockton, Giovanni Claudio Fava, Jean-Thomas Nordmann, Nirj Deva and Michael Cashman.

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following spoke: Reino Paasilinna and Dick Roche.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.26*

Wednesday 21 April 2004

19. Democracy, rule of law, human rights and fundamental freedoms in third countries *I (debate)**

Report on the proposal for a regulation of the European Parliament and the Council amending Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms [COM(2003) 639 – C5-0507/2003 – 2003/0250(COD)] – Committee on Development and Cooperation.

Rapporteur: Fernando Fernández Martín (A5-0279/2004)

Poul Nielson (Member of the Commission) spoke.

Fernando Fernández Martín introduced the report.

The following spoke: Edward H.C. McMillan-Scott, on behalf of the PPE-DE Group, Maj Britt Theorin, on behalf of the PSE Group, Pasqualina Napolitano and Poul Nielson

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.10*

20. 'European Capital of Culture' event for the years 2005 to 2019 *I (debate)**

Report Report on the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 [COM(2003) 700 – C5-0548/2003 – 2003/0274(COD)] – Committee on Culture, Youth, Education, the Media and Sport.

Rapporteur: Michel Rocard (A5-0148/2004)

Viviane Reding (Member of the Commission) spoke.

Michel Rocard introduced the report.

The following spoke: Doris Pack, on behalf of the PPE-DE Group, Christa Prets, on behalf of the PSE Group, Hélène Flautre, on behalf of the Verts/ALE Group, Roy Perry, Karin Junker, Ruth Hieronymi, José Vila Abelló and Viviane Reding

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.11*

21. Agenda

The Lechner reports on the requests made by Umberto Bossi, former Member, to defend his privileges and immunities (A5-0281/2004 and A5-0282/2004), would be put to the vote the following day.

22. Transparency of qualifications and competences (Europass) *I (debate)**

Report on the proposal for a decision of the European Parliament and of the Council on a single framework for the transparency of qualifications and competences (Europass) [COM(2003) 796 – C5-0648/2003 – 2003/0307(COD)] – Committee on Culture, Youth, Education, the Media and Sport.

Rapporteur: Sabine Zissener (A5-0247/2004). Draftsman of the opinion (Rule 162a): Barbara Weiler, EMPL Committee

Viviane Reding (Member of the Commission) spoke.

Sabine Zissener introduced the report.

Wednesday 21 April 2004

The following spoke: Barbara Weiler (draftsman of the opinion of the EMPL Committee), Doris Pack, on behalf of the PPE-DE Group, Christa Prets, on behalf of the PSE Group, and Brian Crowley, on behalf of the UEN Group

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.12*

(*The sitting, suspended at 19.05, resumed at 21.05.*)

IN THE CHAIR: Pat COX

President

23. Motion of censure (debate)

Motion of censure submitted pursuant to Rule 34(1) by William Abitbol, Konstantinos Alyssandrakis, Bent Hindrup Andersen, Roberta Angelilli, Bastiaan Belder, Sergio Berlato, Jean-Louis Bernié, Georges Berthu, Roberto Felice Bigliardo, Freddy Blak, Johannes (Hans) Blokland, Jens-Peter Bonde, Graham H. Booth, Yves Butel, Martin Callanan, Mogens N.J. Camre, Marco Cappato, Isabelle Caullery, Paul Coûteaux, Thierry de La Perrière, Marianne Eriksson, Alain Esclopé, Nigel Paul Farage, Pernille Frahm, Per Gahrton, Robert Goodwill, Gerhard Hager, Daniel J. Hannan, Christopher Heaton-Harris, Roger Helmer, Ole Krarup, Alain Krivine, Efstratios Korakas, Hans Kronberger, Florence Kuntz, Caroline Lucas, Jean-Charles Marchiani, Hans-Peter Martin, Miquel Mayol i Raynal, Patricia McKenna, Erik Meijer, Cristiana Muscardini, James Nicholson, Mauro Nobilia, Charles Pasqua, Ioannis Patakis, Michel Raymond, Lennart Sacrédeus, Jean Saint-Josse, Ulla Margrethe Sandbæk, Michel-Ange Scarbonchi, Herman Schmid, Inger Schörling, Esko Olavi Seppänen, Jonas Sjöstedt, Dominique F.C. Souchet, Francesco Enrico Speroni, David Sumberg, Nicole Thomas-Mauro, Jeffrey William Titford, Maurizio Turco, Roseline Vachetta, Rijk van Dam, Alexandre Varaut and Theresa Villiers, Motion of Censure on the Commission (B5-0189/2004).

The President announced that Mario Borghezio, Gian Paolo Gobbo and Franz Turchi had also signed the motion of censure and that Cristiana Muscardini had withdrawn her signature, thus increasing the number of signatures to 67.

The following spoke: Christopher Heaton-Harris, co-signatory of the motion of censure, Viviane Reding (Member of the Commission), Françoise Grossetête, on behalf of the PPE-DE Group, Helmut Kuhne, on behalf of the PSE Group, Pierre Jonckheer, on behalf of the Verts/ALE Group, Mogens N.J. Camre, on behalf of the UEN Group, and Jens-Peter Bonde, on behalf of the EDD Group, who also mentioned that Members were pressured not to sign the motion, and Georges Berthu, Non-attached Member.

IN THE CHAIR: Raimon OBIOLS I GERMA

Vice-President

The following spoke: María Antonia Avilés Perea, Pasqualina Napoletano, Per Gahrton, Roberta Angelilli, William Abitbol and Mario Borghezio.

The debate closed.

Vote: *Minutes of 04.05.2004, Item 8.1*

24. Development of the Community's railways *III – Railway safety ***III – Interoperability of the trans-European conventional rail system ***III – European Railway Agency ***III (debate)**

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council directive 91/440/EEC on the development of the Community's railways [PE-CONS 3641/2004 – C5-0156/2004 – 2002/0025(COD)] – Parliament's delegation to the Conciliation Committee.

Rapporteur: Georg Jarzembowski (A5-0242/2004)

Wednesday 21 April 2004

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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) [PE-CONS 3638/2004 – C5-0153/2004 – 2002/0022(COD)] – Parliament's delegation to the Conciliation Committee. Rapporteur: Dirk Sterckx (A5-0245/2004)

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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 [PE-CONS 3639/2004 – C5-0154/2004 – 2002/0023(COD)] – Parliament's delegation to the Conciliation Committee. Rapporteur: Sylviane H. Ainardi (A5-0243/2004)

Report on the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council establishing a European Railway Agency ('Agency Regulation') [PE-CONS 3640/2004 – C5-0155/2004 – 2002/0024(COD)] – Parliament's delegation to the Conciliation Committee. Rapporteur: Gilles Savary (A5-0244/2004)

Viviane Reding (Member of the Commission) spoke.

Georg Jarzembowski introduced the report (A5-0242/2004).

Samuli Pohjamo (deputising for the rapporteur) introduced the report (A5-0245/2004).

Sylviane H. Ainardi introduced the report (A5-0243/2004).

Gilles Savary introduced the report (A5-0244/2004).

The following spoke: Charlotte Cederschiöld, on behalf of the PPE-DE Group, Johannes (Hannes) Swoboda, on behalf of the PSE Group, Gérard Caudron, on behalf of the GUE/NGL Group, Luís Queiró, on behalf of the UEN Group, and Rijk van Dam, on behalf of the EDD Group.

IN THE CHAIR: Alejo VIDAL-QUADRAS ROCA

Vice-President

The following spoke: Giorgio Lisi and Sérgio Ribeiro.

The debate closed.

Vote: *Minutes of 22.04.2004, Items 7.5 to 7.8.*

25. Programme for enterprise and entrepreneurship *I (debate)**

Report on the proposal for a decision of the European Parliament and of the Council amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) [COM(2003) 758 – C5-0628/2003 – 2003/0292(COD)] – Committee on Industry, External Trade, Research and Energy. Rapporteur: Paul Rübig (A5-0237/2004)

Viviane Reding (Member of the Commission) spoke.

Paul Rübig introduced the report.

The following spoke: Elizabeth Montfort, on behalf of the PPE-DE Group, and Paul Rübig.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.13*

Wednesday 21 April 2004

26. More accessible digital content *I (debate)**

Report on the proposal for a decision of the European Parliament and of the Council establishing a multi-annual Community programme to make digital content in Europe more accessible, usable and exploitable [COM(2004) 96 – C5-0082/2004 – 2004/0025(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: W.G. van Velzen (A5-0235/2004)

W.G. van Velzen introduced the report.

Viviane Reding (Member of the Commission) spoke.

Neena Gill, on behalf of the PSE Group, spoke.

The debate closed.

Vote: *Minutes of 22.04.2004, Item 7.14*

27. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 344.162/OJJE.

28. Closure of sitting

The sitting closed at 23.05.

Julian Priestley
Secretary-General

Alonso José Puerta
Vice-President

Wednesday 21 April 2004

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Aguiriano Nalda, Nuala Ahern, Ainardi, Almeida Garrett, Alyssandrakis, Andersson, Andreassen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avelés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Bergaz Conesa, Berger, Bernié, Berthu, Beysen, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Bonino, Boogerd-Quaak, Booth, Bordes, Borghezio, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brie, Brienza, Brok, Brunetta, Buitengeweg, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Cederschiöld, Cercas, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Chountis, Claey, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Corbett, Corbey, Cornillet, Corrie, Cossutta, Paolo Costa, Cox, Crowley, Cushnahan, van Dam, Daul, Davies, 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, Dührkop Dührkop, Duff, Duhamel, Duin, Dupuis, Duthu, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Jillian Evans, Robert J.E. Evans, Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Flesch, Florenz, Ford, Formentini, Foster, Fourtou, Frahm, Fraisse, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Garot, Garriga Polledo, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, 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, Hyland, Iivari, Ilgenfritz, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jean-Pierre, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Kaldi, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Kuntz, Lage, Legendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Liese, Linkohr, Lisi, Lombardo, Lucas, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McKenna, McMillan-Scott, McNally, Maes, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marinos, Markov, Marques, Marset Campos, Martelli, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martínez Martínez, Mastella, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Xavier Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Monsonís Domingo, Montfort, Moraes, Morgan, Morgantini, Morillon, Müller, Mulder, Muscardini, Musotto, Mussa, Musumeci, Myller, Naïr, Napolitano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nisticò, Nobilia, Nogueira Román, Nordmann, Obiols i Germà, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, O'Toole, Paasilinna, Pacheco Pereira, Paciotti, Pack, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Pirker, Piscarreta, Pittella, Plooi-j-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Radwan, Randzio-Plath, Rapkay, Raschhofer, Read, Redondo Jiménez, Ribeiro, Ribeiro e Castro, Riis-Jørgensen, Rocard, Rod, de Roo, Roth-Behrendt, Rothe, Roure, Rousseaux, Rovsing, Rübige, Rühle, Ruffolo, Rutelli, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Scallon, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schöring, Ilka Schröder, Jürgen Schröder, Schroedter, Schwaiger, Segni, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Soares, Sørensen, Sommer, Soriano Gil, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Suominen, Swiebel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turmes, Twinn, Uca, Vachetta, Väyrynen, Vairinhos, Valenciano Martínez-Orozco, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Vattimo, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vinci, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen

Wednesday 21 April 2004

Observers:

A. Nagy, Azzopardi, Bagó, Bastys, Bauer, Beneš, Berg, Biela, Bonnici, Christoforou, Chronowski, Zbigniew Chrzanowski, Ciemniak, Cybulski, de Marco, Demetriou, Drzęźła, Ékes, Fajmon, Fazakas, Filipek, Gadzinowski, Gałazewski, Germič, Golde, Genowefa Grabowska, Gruber, Grzebisz-Nowicka, Hegyi, Heriban, Ilves, Kamiński, Kāposts, Kelemen, Kļaviņš, Kłopotek, Klukowski, Kóséné Kovács, Kowalska, Kriščiūnas, Daniel Kroupa, Kubica, Kubovič, Kuzmickas, Kvietkauskas, Laar, Landsbergis, Liberadzki, Libicki, Lisak, Lydeka, Łyżwiński, Maldeikis, Mallotová, Manninger, Matsakis, Óry, Palečková, Pieniążek, Plokšto, Podgórski, Pospíšil, Protasiewicz, Pusz, Janno Reiljan, Rutkowski, Šlesere, Smorawiński, Surján, Svoboda, Szabó, Szájer, Szczygło, Tabajdi, Tomczak, Vaculěk, Vadai, Valys, George Varnava, Vastagh, Vella, Vēsaitē, Widuch, Wittbrodt, Żenkiewicz, Žiak

Wednesday 21 April 2004

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. Calendar of part-sessions of the European Parliament for 2005 *

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
July part-session	1	PPE-DE	EV	-	208, 301, 33
All part-sessions	2	PPE-DE	EV	-	212, 307, 23

2. EC-USA agreement on PNR (request for consultation of the Court of Justice) *

Report: BOOGERD-QUAAK (A5-0271/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
Request for consultation of the Court of Justice			EV	+	276, 260, 13

Wednesday 21 April 2004

3. Common rules for carriage of goods by road (codified version) ***I

Report: GARGANI (A5-0250/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote	RCV	+	492, 4, 20

Requests for roll-call votes

PPE-DE: final vote

4. Quality of fresh water needed for fish (codified version) ***I

Report: GARGANI (A5-0252/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

5. UNECE specifications for motor fuels ***

Report: BERENGUER FUSTER (A5-0238/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

6. UNECE regulation to protect motor vehicles against unauthorised use ***

Report: BERENGUER FUSTER (A5-0240/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

7. UNECE regulation on tyre rolling noise ***

Report: BERENGUER FUSTER (A5-0239/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

8. Re-exportation and re-dispatch of products covered by the specific supply arrangements *

Report: DAUL (A5-0231/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

Wednesday 21 April 2004

9. Interest and royalty payments made between associated companies of different Member States *

Report: RANDZIO-PLATH (A5-0276/2004)

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

10. Community participation in the European Audiovisual Observatory ***I

Report: SANDERS-TEN HOLTE (A5-0241/2004)

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

11. WHO Framework Convention on Tobacco Control *

Report: MAATEN (A5-0226/2004)

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

12. Fruit jams, jellies and marmalades *

Report: JACKSON (A5-0251/2004)

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

13. 2002 discharges: decentralised agencies

Report: MULDER (A5-0212/2004)

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

14. 2002 discharge: ECSC

Report: RÜHLE (A5-0201/2004)

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

Wednesday 21 April 2004

15. Development of the trans-European transport network *II***Recommendation for second reading: BRADBURN (A5-0278/2004)*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 1	4	Verts/ALE		-	
annex	1/rev	Verts/ALE et al	RCV	-	181, 309, 19
	6	GUE/NGL		-	
	5	Verts/ALE		-	
	2	Verts/ALE	RCV	-	50, 455, 20
	3	Verts/ALE et al	RCV	-	51, 446, 26

Requests for roll-call votes

Verts/ALE: ams 1, 2, 3

16. Agricultural holdings after enlargement *I***Report: BÖGE (A5-0194/2004)*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-5	committee		+	
vote: amended proposal				+	
vote: legislative resolution				+	

17. Financial Instrument for the Environment (LIFE) *I***Report: JACKSON (A5-0137/2004)*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
text as a whole	block 1	5 political groups		+	
	block 2	committee		↓	
budget	9	committee	RCV	-	91, 423, 7
	21	5 political groups	sep	+	
compromise	block 3	committee		+	
comitology	12	committee		-	
vote: amended proposal				+	
vote: legislative resolution				+	

block 1 = ams 14 to 20 and 22 (PPE-DE, PSE, ELDR, Verts/ALE and GUE/NGL)

block 2 = ams 1 to 4, 8 and 13 (Committee on the Environment)

block 3 = ams 5, 6, 7, 10 and 11 (Committee on the Environment)

Wednesday 21 April 2004

Requests for roll-call votes

Verts/ALE: am 9

Requests for separate vote

Verts/ALE: am 21

Other information

The Verts/ALE Group had not signed am 21.

18. EC-USA agreement on PNR *

Report: BOOGERD-QUAAK (A5-0271/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
<i>referral back to committee</i>			EV	+	299, 218, 6

On behalf of the ELDR Group, the rapporteur asked for the report to be referred back to committee (Rule 144).

19. Stamping of travel documents *

Report: ANGELLILI (A5-0229/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
<i>amendments by committee responsible – block vote</i>	1-6 8-12 14-18	<i>committee</i>		+	
<i>amendments by committee responsible – separate votes</i>	13	<i>committee</i>	RCV	+	262, 260, 4
<i>vote: amended proposal</i>				+	
<i>vote: legislative resolution</i>				+	

Amendment 7 did not concern all language versions and was therefore not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

PPE-DE: am 13

The UEN Group had withdrawn its request for a roll-call vote on the legislative resolution.

20. European Monitoring Centre for Drugs and Drug Addiction *

Report: CEYHUN (A5-0248/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
<i>amendments by committee responsible – block vote</i>	1 3-8 11-27	<i>committee</i>		+	

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – separate votes	2	committee	sep	+	
	9	committee	sep	+	
	10	committee	sep/EV	+	274, 224, 8
	28	committee	sep	+	
vote: amended proposal				+	
vote: legislative resolution			EV	+	273, 225, 6

Requests for separate vote

PPE-DE: ams 2, 9, 10, 28

21. 2002 discharge: Section III of general budget

Report: BAYONA DE PEROGORDO (A5-0200/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
proposal for a decision – discharge					
vote: proposal for a decision			RCV	+	442, 69, 4
proposal for a decision – closure of accounts					
vote: proposal for a decision				+	
motion for a resolution					
§ 2	9 D	PPE-DE		-	
	1	PSE		+	
after § 2	10	PPE-DE		W	
§ 13, indent 4		original text	split		
			1/RCV	+	495, 7, 3
			2/RCV	+	306, 175, 13
§ 15	2 D	PSE		+	
	13	ELDR		↓	
§ 29	3	PSE		+	
§ 33	14	ELDR		+	
	4	PSE		↓	
§ 61	8	PSE	RCV	+	414, 91, 5
	15	PPE-DE		↓	

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 65	17	PPE-DE		+	
after § 65	16	PPE-DE		W	
§ 66	12	PPE-DE	EV	+	298, 189, 9
after § 66	18	PPE-DE		W	
§ 68	19	ELDR		+	
§ 71	5	PSE	EV	+	412, 59, 7
§ 90	6 D	PSE	RCV	-	167, 338, 4
	11	PPE-DE	RCV	+	275, 231, 4
§ 117		original text	RCV	+	426, 81, 9
§ 154	7	PSE		+	
vote: draft resolution (as a whole)				+	

Requests for roll-call votes

PPE-DE: ams 6, 11 and § 13

EDD: § 117, vote on the proposal for a decision on the discharge

GUE/NGL: am 8

Requests for split votes

PPE-DE

§ 13, indent 4

1st part: 'the IACS is a valuable source of information ... (4.13),'

2nd part: remainder of indent

Other information

The PPE-DE Group had withdrawn its amendments 10, 16 and 18.

22. 2002 discharge: 6th, 7th and 8th EDF

Report: SJÖSTEDT (A5-0183/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
proposal for a decision – discharge					
vote: proposal for a decision				+	
proposal for a decision – closure of accounts					
vote: proposal for a decision				+	
motion for a resolution					
vote: resolution (as a whole)				+	

Wednesday 21 April 2004

23. 2002 discharge: Sections II, IV, V, VI, VII and VIII of the general budget

Report: STAUNER (A5-0228/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
Section II – Council					
<i>proposal for a decision</i>					
<i>vote: proposal for a decision</i>				+	
<i>motion for a resolution</i>					
<i>vote: resolution (as a whole)</i>				+	
Section IV – Court of Justice					
<i>proposal for a decision</i>					
<i>vote: proposal for a decision</i>				+	
<i>motion for a resolution</i>					
§ 15	2 D	PPE-DE		-	
	3	ELDR	EV	+	277, 190, 34
<i>vote: resolution (as a whole)</i>				+	
Section V – Court of Auditors					
<i>proposal for a decision</i>					
<i>vote: proposal for a decision</i>				+	
<i>motion for a resolution</i>					
§ 45	4	ELDR	EV	+	279, 196, 12
<i>vote: resolution (as a whole)</i>				+	
Section VI – Economic and Social Committee					
<i>proposal for a decision</i>					
<i>vote: proposal for a decision</i>				+	
<i>motion for a resolution</i>					
<i>vote: resolution (as a whole)</i>				+	
Section VII – Committee of the Regions					
<i>proposal for a decision</i>					
<i>vote: proposal for a decision</i>				+	
<i>motion for a resolution</i>					
§ 10	1 D	PSE	EV	-	163, 316, 9
<i>vote: resolution (as a whole)</i>				+	

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
Section VIII – European Ombudsman					
proposal for a decision					
vote: proposal for a decision				+	
motion for a resolution					
vote: resolution (as a whole)				+	

Amendment 5 had been cancelled.

24. 2002 discharge: Section I of general budget

Report: VAN HULTEN (A5-0218/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
proposal for a decision					
vote: proposal for a decision				+	
motion for a resolution					
§ 23	7	PSE	EV	+	280, 171, 39
§ 31	13 D	PPE-DE	EV	+	254, 225, 9
§ 32	36	ELDR		+	
§ 48	37 D	ELDR	EV	+	333, 152, 8
§ 55	8	PSE		-	
	22	PPE-DE		+	
	38	ELDR		-	
§ 56	23	PPE-DE	split		
			1	+	
			2/EV	-	225, 273, 5
	9	PSE	EV	-	202, 281, 17
§ 57	24	PPE-DE	EV	+	249, 242, 8
§ 58	10 D = 25 D	PSE PPE-DE		+	
after § 58	39	ELDR	RCV	+	380, 119, 10
	40	ELDR	RCV	+	336, 138, 28
	1/rev = 5 = 28 =	EDD Verts/ALE GUE/NGL		↓	
	2/rev	EDD	RCV	-	157, 299, 38

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 59	21	PPE-DE	EV	-	196, 286, 6
	§	<i>original text</i>	split/ EV		
			1	+	292, 193, 8
			2	+	267, 226, 5
§ 60		<i>original text</i>	sep	+	
§ 61	26 D	PPE-DE	EV	-	230, 270, 3
§ 62	41 D	ELDR		-	
§ 64	15 D	PPE-DE		+	
	11 D	PSE		↓	
	42	ELDR		↓	
after § 64	3/rev = 6	EDD Verts/ALE	RCV	-	208, 281, 21
	4/rev	EDD	RCV	-	172, 323, 10
§ 65	27 D	PPE-DE		W	
	43	ELDR	EV	-	203, 294, 12
	12	PSE		+	
	33	GUE/NGL	RCV	-	195, 275, 45
after § 65	35	GUE/NGL	RCV	-	99, 355, 53
	34	GUE/NGL	split		
			1/RCV	-	151, 320, 39
			2	↓	
	44	ELDR	RCV	+	351, 146, 18
§ 67		<i>original text</i>	sep/EV	+	295, 190, 12
§ 68	14 D	PPE-DE	EV	-	213, 278, 13
after § 68	29	GUE/NGL		↓	
	30	GUE/NGL		↓	
	31	GUE/NGL		↓	
	32	GUE/NGL		↓	
§ 69	16 D	PPE-DE	RCV	+	260, 231, 14
§ 70	17 D	PPE-DE	RCV	+	265, 233, 12

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 71	18 D	PPE-DE	RCV	+	275, 223, 16
§ 72	19 D	PPE-DE	RCV	+	276, 224, 17
§ 73	20	PPE-DE	RCV	+	271, 223, 21
§ 74		original text	sep	+	
vote: resolution (as a whole)			RCV	+	436, 34, 48

Requests for roll-call votes

PPE-DE: ams 16 D, 17 D, 18 D, 19 D, 20
 ELDR: ams 18 D, 19 D, 20, 27 D [withdrawn], 39, 40, 44
 GUE/NGL: ams 3/rev/6, 4, 20, 33, 34, 35, final vote
 EDD: ams 2/rev, 3/rev, 4/rev
 Mr van Hulten et al ams 16 D, 17 D, 18 D, 19 D, 20, final vote
 Mr Nassauer et al ams 39, 40

Requests for separate vote

PPE-DE: § 67
 PSE: § 74
 ELDR: § 60

Requests for split votes

PSE

am 23

1st part: text up to 'all Members'
 2nd part: deletion

am 34

1st part: text up to 'Strasbourg'
 2nd part: remainder

§ 59

1st part: text up to 'strictly enforced'
 2nd part: remainder

Other information

The PPE-DE Group had withdrawn its amendment 27 D.

25. Modernising company law and enhancing corporate governance

Report: GHILDARDOTTI (A5-0253/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after § 4	2	PSE		+	
after § 15	1	PSE		+	
after § 17	3	PSE		+	
§ 21		original text	RCV	+	360, 112, 23
after § 23	11	PPE-DE		+	

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 24		original text	sep/EV	+	249, 205, 10
after § 31	4	PSE		+	
§ 44	5	PSE		-	
after § 44	6	PSE		+	
§ 45	7	PSE		+	
recital E	8	PSE		+	
after recital F	9	PSE		-	
after recital H	10	PSE		+	
vote: resolution (as a whole)				+	

Requests for separate vote

PPE-DE: § 21

PSE: §§ 21, 24

Requests for roll-call votes

Verts/ALE: § 21

UEN: § 21

GUE/NGL: § 21

26. Cyprus

Motion for a resolution: B5-0188/2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
joint motion for a resolution B5-0188/2004 (Committee on Foreign Affairs)					
§ 2		original text	RCV	+	399, 34, 16
§ 3	7	PSE		+	
after § 4	12	GUE/NGL	EV	-	175, 279, 12
§ 5	8	PSE		+	
§ 6	9	PSE		+	
	13	GUE/NGL		↓	
after § 9	3	PPE-DE		-	
§ 10	4 D	PPE-DE	RCV	-	67, 417, 19
	14	GUE/NGL		-	
after § 10	5	PPE-DE		-	
	6	PPE-DE	RCV	-	61, 399, 42
§ 11	15	GUE/NGL	RCV	-	59, 431, 7
	§	original text	RCV	+	439, 46, 15

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 12	10	PSE		+	
§ 13	11	PSE		+	
after § 14	1	Verts/ALE		-	
	2	Verts/ALE		-	
vote: resolution (as a whole)			RCV	+	422, 30, 47

Requests for roll-call votes

PSE: final vote

Verts/ALE: §§ 2, 11, final vote

GUE/NGL: ams 4, 6, 15, § 11 and final vote

27. Single payment area

Report: RADWAN (A5-0192/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after § 4	1	PPE-DE	EV	+	246, 217, 13
	5	PES + EPP-ED	split/ RCV		
			1	+	433, 17, 42
			2	+	304, 147, 40
	6	PES + EPP-ED	RCV	+	489, 7, 5
§ 6	7	PES + EPP-ED		+	
	§	original text	sep	↓	
§ 8	8	PES + EPP-ED		+	
§ 12	9	PES + EPP-ED		+	
§ 13	2	GUE/NGL	split		
			1	+	
			2	-	
§ 14	3	GUE/NGL		-	
§ 17	10	PES + EPP-ED		+	
	4	GUE/NGL		↓	
after § 20	11	PES + EPP-ED		+	
vote: resolution (as a whole)				+	

Requests for roll-call votes

PSE: ams 5, 6

Requests for separate vote

PSE: § 6

Wednesday 21 April 2004

Requests for split votes

am 2

1st part: text up 'very rapidly'

2nd part: remainder

PSE

am 5

1st part: text up to 'to regulations'

2nd part: remainder

28. Integrated product policy

Report: WIJLMAN (A5-0261/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 2	16	Verts/ALE		-	
	2	FLORENZ et al		-	
	3	PPE-DE		+	
after § 3	4	PPE-DE		+	
art 4, point (c)	17	Verts/ALE		-	
§ 4, point (e)	18	Verts/ALE		+	
§ 5	19	Verts/ALE	RCV	-	90, 384, 7
§ 8, point (g)	20	Verts/ALE	EV	+	289, 178, 4
after § 11	1	PSE		+	amended orally
§ 13	21	Verts/ALE	EV	+	274, 185, 2
§ 14	5	PPE-DE		+	
§ 15	22	Verts/ALE		-	
	6	PPE-DE		+	
§ 16	7	PPE-DE	RCV	+	256, 225, 6
after § 17	23	Verts/ALE	EV	+	325, 146, 3
§ 18	8D	PPE-DE	EV	+	247, 231, 2
after § 20	24	Verts/ALE	RCV	+	327, 158, 7
recital A	10	Verts/ALE		+	
recital F	11	Verts/ALE		-	
recital H	12	Verts/ALE		-	
recital I	13	Verts/ALE	RCV	-	89, 389, 7
recital J	14	Verts/ALE	split		as addition
			1	+	
			2	-	
recital K	15	Verts/ALE	RCV	-	230, 257, 5
recital O	9	PPE-DE	EV	+	256, 222, 4
vote: resolution (as a whole)			RCV	+	428, 39, 12

Wednesday 21 April 2004

Requests for roll-call votes

PPE-DE: final vote

Verts/ALE: ams 7, 13, 15, 19, 24

*Requests for split votes***PPE-DE****am 14***1st part:* text as a whole except the words 'in the very near future'*2nd part:* those words*Other information*

The rapporteur, on behalf of the PPE-DE Group, had proposed the following two oral amendments:

am 1: '11a. Insists that, to promote the consumption of environmentally friendly products, the Commission encourage Member States to consider various incentives, like reduced taxes, rebates ... etc.'

am 14: should be considered as an addition.

29. Safety at sea*Report: STERCKX (A5-0257/2004)*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 3	10	Verts/ALE + PSE	RCV	+	282, 173, 4
§ 4	11	Verts/ALE + PSE	RCV	+	261, 222, 8
after § 4	12	Verts/ALE + PSE	RCV	+	314, 165, 10
§ 7		original text	split		
			1	+	
			2	-	
after § 7	9	Verts/ALE + PSE	split		
			1	+	
			2/RCV	-	220, 231, 30
			3	-	
	23	Verts/ALE		-	
after § 10	24	Verts/ALE		-	
§ 13	26	ELDR		+	
	§	original text		↓	
after § 13	3	GUE/NGL	RCV	-	196, 277, 14
after § 18	25	Verts/ALE		-	
§ 20	15	Verts/ALE		-	
after § 22	16	Verts/ALE	RCV	-	146, 335, 1

Wednesday 21 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after § 30	14	Verts/ALE + PSE	RCV	-	232, 236, 13
§ 34	4	GUE/NGL	RCV	+	269, 207, 3
§ 39		original text	RCV	+	262, 180, 7
after § 39	17	Verts/ALE		-	
after § 40	5	GUE/NGL	RCV	+	265, 203, 10
	6	GUE/NGL		-	
§ 41	8	Verts/ALE + PSE		+	
after § 47	18	Verts/ALE	RCV	+	252, 212, 11
after § 49	13	Verts/ALE + PSE	RCV	+	272, 195, 9
	19	Verts/ALE	RCV	+	271, 197, 7
§ 50	1	PPE-DE	split		
			1/RCV	-	201, 254, 14
			2/RCV	-	197, 261, 14
	§	original text	split		
			1/RCV	+	257, 201, 6
			2/RCV	-	82, 370, 6
§ 51	2	PPE-DE	RCV	+	236, 98, 124
	§	original text		↓	
after § 53	20	Verts/ALE		-	
after § 56	21	Verts/ALE	RCV	-	152, 314, 3
after recital H	22	Verts/ALE		-	
recital K		original text	RCV	+	434, 24, 5
after recital L	7	Verts/ALE + PSE	EV	+	248, 199, 9
vote: resolution (as a whole)			RCV	+	396, 24, 13

Requests for roll-call votes

PPE-DE: rec K, §§ 13, 39, 50, ams 1, 2, 19

PSE: final vote

ELDR: final vote

GUE/NGL: ams 3, 4, 5, 13, 16, 18

Verts/ALE: ams 10, 11, 12, 19, 14, 21 and final vote

Mrs Foster et al: am 9 [2nd part]

Requests for split votes

PPE-DE

§ 50

1st part: text up to 'industry concerned'

2nd part: remainder

Wednesday 21 April 2004

ELDR

am 1*1st part:* text up to 'industry concerned'*2nd part:* deletion**§ 7***1st part:* text up to 'Member States'*2nd part:* remainder

PSE, ELDR, Mrs Foster et al

am 9*1st part:* text as a whole except the words 'the adoption of the European flag and' and 'flags of convenience and'*2nd part:* the words 'the adoption of the European flag and'*3rd part:* the words 'flags of convenience and'

Wednesday 21 April 2004

ANNEX II

RESULT OF ROLL-CALL VOTES

1. Gargani report A5-0250/2004

Resolution

For: 492

EDD: Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis, Watson**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta**NI:** Berthu, Beysen, Borghezio, Garaud, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perrière, Raschhofer, Souchet, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferri, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Wednesday 21 April 2004

UEN: Andrews, Angelilli, Camre, Caullery, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Nobilia, Ó Neachtain, Pasqua, Queiró, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 4

EDD: Booth, Farage, Titford

PPE-DE: Fiori

Abstention: 20

EDD: Abitbol, Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller, Patakis

NI: Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Gollnisch, Lang, Stirbois

PSE: Valenciano Martínez-Orozco

2. Bradbourn recommendation A5-0278/2004

Amendment 1

For: 181

EDD: Bonde, Booth, Farage, Sandbæk, Titford

ELDR: Attwooll, Calò, Clegg, Davies, Di Pietro, Duff, Dybkjær, Huhne, Ludford, Wallis

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Borghezio, Gorostiaga Atxalandabaso

PPE-DE: Bowis

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cercas, Cerdeira Morterero, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Färm, Fava, Ferreira, Fruteau, Garot, Ghilardotti, Gillig, Gröner, Guy-Quint, Hazan, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Koukiadis, Lage, Lavarra, Lund, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Rocard, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Soares, Sornosa Martínez, Soulidakis, Sousa Pinto, Swiebel, Theorin, Thorning-Schmidt, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Zimeray, Zorba, Zrihen

UEN: Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 21 April 2004

Against: 309

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, De Clercq, Flesch, Jensen, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Herzog

NI: Berthu, Beysen, Garaud, Hager, de La Perriere, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabel, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Berger, Bowe, Cashman, Ceyhun, Corbett, Dehousse, Duin, Evans Robert J.E., Gebhardt, Gill, Glante, Görlach, Hänsch, Haug, Honeyball, Howitt, Hughes, Keßler, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Morgan, Müller, O'Toole, Piecyk, Rapkay, Read, Roth-Behrendt, Rothe, Scheele, Schmid Gerhard, Simpson, Skinner, Soriano Gil, Stihler, Stockmann, Titley, Walter, Whitehead, Wiersma, Wynn

UEN: Andrews, Angelilli, Camre, Caullery, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 19

EDD: Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Bordes, Cauquil

NI: Claeys, Dillen, de Gaulle, Gollnisch, Lang, Stirbois

PSE: Bösch, Goebbels, Schulz, Swoboda, Volcic

Verts/ALE: Ferrández Lezaun, Nogueira Román

3. Bradbourn recommendation A5-0278/2004

Amendment 2

For: 50

ELDR: Calò, Di Pietro

GUE/NGL: Meijer

NI: Gorostiaga Atxalandabaso

Wednesday 21 April 2004

PPE-DE: Karas, Pirker, Posselt, Rack, Rübig, Wijkman

PSE: Dhaene, Scheele, Swoboda

UEN: Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 455

EDD: Belder, Bonde, van Dam, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebig, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Modrow, Naïr, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Beysen, Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Garaud, Hager, Ilgenfritz, Kronberger, de La Perrière, Raschhofer, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtoul, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönlund Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jegg, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Røvsing, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., 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, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kefler, Kindermann, Kinnoek, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Wednesday 21 April 2004

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

Abstention: 20

EDD: Bernié, Booth, Butel, Esclopé, Farage, Saint-Josse, Titford

GUE/NGL: Bordes, Cauquil, Papayannakis

NI: Claeys, Dillen, de Gaulle, Gollnisch, Lang, Stirbois

PPE-DE: Schierhuber

PSE: Berger, Bösch

Verts/ALE: Ferrández Lezaun

4. Bradbourn recommendation A5-0278/2004

Amendment 3

For: 51

EDD: Bonde, Sandbæk

ELDR: Calò, Di Pietro

GUE/NGL: Meijer

PSE: Désir, Dhaene, Fava, Lavarra, Napoletano, Paciotti, Pittella, Ruffolo, Vattimo

UEN: Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 446

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonis Domingo, Mulder, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Modrow, Naïr, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope,

Wednesday 21 April 2004

Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Caullery, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 26

EDD: Bernié, Booth, Butel, Esclopé, Farage, Saint-Josse, Titford

GUE/NGL: Bordes, Cauquil, Papayannakis

NI: Borghesio, Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Stirbois

PPE-DE: Lisi, Tajani

PSE: Bösch, Scheele, Schulz, Swoboda, Volcic

Verts/ALE: Ferrández Lezaun

5. Jackson report A5-0137/2004

Amendment 9

For: 91

ELDR: Dybkjær, Riis-Jørgensen

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Gorostiaga Atxalandabaso

PSE: De Rossa, Dhaene, Karamanou, Katiforis, Miranda de Lage, Myller, Obiols i Germà, Pérez Royo, Weiler, Wiersma

Wednesday 21 April 2004

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 423

EDD: Abitbol, Bernié, Bonde, Booth, Butel, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Rousseaux, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

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

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, 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, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., 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, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Morgan, Müller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Abstention: 7

EDD: Belder, Blokland, van Dam

ELDR: Boogerd-Quaak

NI: Borghezio, Della Vedova, Souchet

Wednesday 21 April 2004

6. Angelilli report A5-0229/2004**Amendment 13****For: 262****EDD:** Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Sylla, Uca, Vachetta

NI: Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Fatuzzo, Méndez de Vigo

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Caullery, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Breyer**Against: 260****EDD:** Abitbol, Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Saint-Josse**ELDR:** Maaten**GUE/NGL:** Blak, Eriksson, Frahm, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Borghezio, Claeys, Dillen, de Gaulle, Gollnisch, Hager, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson,

Wednesday 21 April 2004

Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rosing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

EDD: Booth, Farage, Titford

GUE/NGL: Schröder Ilka

7. Bayona De Perogordo report A5-0200/2004

Decision

For: 442

EDD: Booth, Farage, Mathieu, Titford

ELDR: André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebig, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Rosing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Collins, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 69

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

GUE/NGL: Meijer

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Atkins, Balfé, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kirkhope, Klamt, Montfort, Nicholson, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Sommer, Stauner, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden, Villiers

UEN: Camre, Caullery, Marchiani, Mussa, Pasqua, Segni, Thomas-Mauro

Verts/ALE: Lucas, McKenna

Abstention: 4

GUE/NGL: Krivine

PPE-DE: Rack

UEN: Angelilli, Musumeci

8. Bayona De Perogordo report A5-0200/2004

Paragraph 13, 4th indent, 1st part

For: 495

EDD: Abitbol, Belder, Bernié, Blokland, Bonde, Booth, Butel, van Dam, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

Wednesday 21 April 2004

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca

NI: Berthu, Beysen, Bonino, Claeys, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, Raschhofer, Souchet, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, 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, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Caullery, Collins, Fitzsimons, Hyland, Marchiani, Mussa, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Buitenweg, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lucas, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 7

NI: de La Perrière, Varaut

PPE-DE: Bremmer, Pastorelli

UEN: Muscardini, Musumeci

Verts/ALE: Lannoye

Wednesday 21 April 2004

Abstention: 3**GUE/NGL:** Krivine, Vachetta**NI:** Borghezio**9. Bayona De Perogordo report A5-0200/2004****Paragraph 13, 4th indent, 2nd part****For: 306****EDD:** Belder, Bernié, Blokland, Bonde, Booth, Butel, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca**NI:** Claeys, Della Vedova, Dillen, de Gaulle, Gollnisch, Lang, Stirbois, Varaut**PPE-DE:** Atkins, Balfe, Berend, Bowis, Bradbourn, Bushill-Matthews, Chichester, Corrie, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kirkhope, Nicholson, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Stevenson, Sturdy, Tannock, Van Orden**PSE:** Adam, Aguiriano Nalda, 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, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen**UEN:** Muscardini, Musumeci**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 175****EDD:** Mathieu**NI:** Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Hager**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Friedrich,

Wednesday 21 April 2004

Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Collins, Fitzsimons, Hyland, Marchiani, Mussa, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni

Abstention: 13

EDD: Abitbol

GUE/NGL: Krivine, Schröder Ilka, Vachetta

NI: Berthu, Borghezio, Gorostiaga Atxalandabaso, de La Perriere, Souchet

UEN: Angelilli, Camre, Caullery, Thomas-Mauro

10. Bayona De Perogordo report A5-0200/2004

Amendment 8

For: 414

EDD: Belder, Bernié, Blokland, Booth, Butel, van Dam, Esclopé, Farage, Mathieu, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Naïr

NI: Berthu, Beysen, Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Collins, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Frassoni

Against: 91

EDD: Abitbol, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

PPE-DE: Callanan, Goodwill, Hannan, Heaton-Harris, Montfort, Nicholson, Twinn, Villiers

PSE: Bösch, Prets, Swoboda

UEN: Angelilli, Camre, Caullery, Marchiani, Mussa, Musumeci, Pasqua, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 5

GUE/NGL: Krivine, Vachetta

NI: Borghezio

PSE: Dehousse

Verts/ALE: Gahrton

11. Bayona De Perogordo report A5-0200/2004

Amendment 6

For: 167

EDD: Booth, Farage, Titford

PPE-DE: Callanan, Goodwill, Hannan, Heaton-Harris, Nicholson, Stockton, Villiers, Wieland

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cercas, Cerdeira Morterero, Ceyhun, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl,

Wednesday 21 April 2004

Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Lund, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Stockmann, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Wiersma, Zimeray, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 338

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

NI: Berthu, Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Hermange, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bösch, Bowe, Cashman, Dehousse, Evans Robert J.E., Ford, Gill, Honeyball, Howitt, Hughes, McAvan, McCarthy, McNally, Martin David W., Miller, O'Toole, Paasilinna, Prets, Read, Simpson, Skinner, Stihler, Swoboda, Titley, Watts, Whitehead, Wynn

UEN: Andrews, Angelilli, Camre, Caullery, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: McKenna, Schörling

Wednesday 21 April 2004

Abstention: 4**GUE/NGL:** Krivine, Vachetta**NI:** Gorostiaga Atxalandabaso**PSE:** Bullmann**12. Bayona De Perogordo report A5-0200/2004****Amendment 11****For: 275****EDD:** Abitbol, Belder, Bernié, Blokland, Bonde, Booth, Butel, van Dam, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford**ELDR:** Costa Paolo**NI:** Berthu, Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Souchet, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Berès, Bowe, Casaca, Cashman, Dehousse, Evans Robert J.E., Ford, Gill, Honeyball, Howitt, Hughes, Kinnock, McAvan, McCarthy, McNally, Marinho, Martin David W., Miller, Moraes, Morgan, O'Toole, Pittella, Read, Schulz, Simpson, Skinner, Stihler, Swiebel, Watts, Whitehead, Wiersma, Wynn

UEN: Andrews, Angelilli, Camre, Caullery, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: McKenna**Against: 231**

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Qaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca

Wednesday 21 April 2004

NI: Gorostiaga Atxalandabaso, Varaut

PPE-DE: Schnellhardt

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Ceyhun, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Lund, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Zimeray, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

GUE/NGL: Krivine, Vachetta

Verts/ALE: Gahrton, Lucas

13. Bayona De Perogordo report A5-0200/2004

Paragraph 117

For: 426

EDD: Bonde, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Ribeiro, Schröder Ilka, Sylla, Uca

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Adam, Aguiriano Nalda, 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, Cercas, Cerdeira Morterero, Ceyhun, Dehousse, De Keyser, De Rossa, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Collins, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Queiró

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 81

EDD: Abitbol, Belder, Bernié, Blokland, Booth, Butel, van Dam, Esclopé, Farage, Saint-Josse, Titford

GUE/NGL: Alyssandrakis, Blak, Frahm, Korakas, Patakis, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Deva, Dover, Elles, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Heaton-Harris, Inglewood, Jackson, Kirkhope, McMillan-Scott, Montfort, Nicholson, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Stenmarck, Stevenson, Sturdy, Tannock, Twinn, Van Orden, Villiers, Wachtmeister

UEN: Angelilli, Caullery, Marchiani, Mussa, Musumeci, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Gahrton

Abstention: 9

ELDR: Malmström, Paulsen, Schmidt, Sørensen

GUE/NGL: Krivine, Vachetta

NI: Borghezio

PPE-DE: Wijkman

UEN: Camre

14. van Hulten report A5-0218/2004

Amendment 39

For: 380

EDD: Belder, Bernié, Blokland, Bonde, Booth, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

Wednesday 21 April 2004

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Schmid Herman, Sjöstedt, Sylla

NI: Berthu, Beysen, Borghezio, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Souchet, Varaut

PPE-DE: Arvidsson, Atkins, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Cederschiöld, Cesaro, Chichester, Cornillet, Corrie, Daul, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Ebner, Elles, Fatuzzo, Ferber, Ferri, Foster, Fourtou, Friedrich, Gahler, Gawronski, Glase, Goepel, Gomolka, Goodwill, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lulling, Maat, McMillan-Scott, Mann Thomas, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Menrad, Musotto, Nassauer, Nicholson, Oomen-Ruijten, Pack, Parish, Perry, Pex, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Rübig, Sacrédeus, Scallon, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Tannock, Theato, Thyssen, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Casaca, Cashman, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dhaene, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Mastorakis, Mendiluce Pereiro, Miller, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Sakellariou, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba

UEN: Andrews, Collins, Fitzsimons

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 119

EDD: Mathieu

GUE/NGL: Brie, Kaufmann, Uca

NI: Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Hager, Lang, Stirbois

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Dell'Utri, Dimitrakopoulos, Doyle, Fernández Martín, Ferrer, Fiori, Flemming, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Graça Moura, Hernández Mollar, Herranz García, Karas, Konrad, Lisi, McCartin, Marinos, Marques, Mauro, Méndez de Vigo, Montfort, Morillon, Naranjo Escobar, Nisticò, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Podestà, Redondo Jiménez, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Stenzel, Suominen, Tajani, Trakatellis, Varela Suanzes-Carpegna, Vila Abelló, Wieland, Xarchakos, Zabell, Zacharakis, Zappalà

PSE: Aparicio Sánchez, Berenguer Fuster, Carnero González, Cercas, Cerdeira Morterero, Díez González, Dührkop Dührkop, Izquierdo Collado, Izquierdo Rojo, Marinho, Martínez Martínez, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Obiols i Germà, Poos, dos Santos, Sauquillo Pérez del Arco, Soares, Soriano Gil, Sornosa Martínez, Sousa Pinto, Torres Marques, Valenciano Martínez-Orozco

UEN: Angelilli, Camre, Marchiani, Muscardini, Mussa, Musumeci, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Wednesday 21 April 2004

Abstention: 10**EDD:** Butel**GUE/NGL:** Alyssandrakis, Korakas, Krivine, Patakis, Schröder Ilka, Vachetta**NI:** Gorostiaga Atxalandabaso**PSE:** Adam, Rothley**15. van Hulten report A5-0218/2004****Amendment 40****For: 336****EDD:** Bernié, Bonde, Booth, Esclopé, Farage, Saint-Josse, Sandbæk, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Schmid Herman, Sjøstedt, Sylla, Uca**NI:** Berthu, Beysen, Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Ilgenfritz, Kronberger, Lang, Raschhofer, Souchet, Stirbois, Varaut**PPE-DE:** Arvidsson, Atkins, Balfe, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Deva, Doorn, Dover, Ebner, Elles, Fatuzzo, Ferber, Ferri, Flemming, Foster, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gawronski, Glase, Goepel, Gomolka, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Harbour, Heaton-Harris, Hieronymi, Inglewood, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lulling, Maat, Mann Thomas, Martens, Matikainen-Kallström, Mayer Xaver, Menrad, Nassauer, Nicholson, Oomen-Ruijten, Pack, Parish, Perry, Pex, Pirker, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rübig, Sacrédeus, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Tannock, Theato, Thyssen, Twinn, Van Orden, van Velzen, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Zimmerling, Zissener**PSE:** Aguiriano Nalda, Andersson, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, Dehousse, De Rossa, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Keßler, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Martin David W., Mendiluce Pereiro, Miller, Moraes, Morgan, Müller, Myller, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Prets, Rapkay, Read, Roth-Behrendt, Rothe, Sakellariou, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 138****EDD:** Belder, Blokland, van Dam, Mathieu**GUE/NGL:** Bakopoulos**NI:** Hager, de La Perriere

Wednesday 21 April 2004

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bourlanges, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doyle, Fernández Martín, Ferrer, Fiori, Fourtou, Galeote Quecedo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Gouveia, Graça Moura, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Kratsa-Tsagaropoulou, Lamassoure, Lisi, McCartin, Marinos, Marques, Martin Hugues, Mauro, Méndez de Vigo, Morillon, Musotto, Naranjo Escobar, Nisticò, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Piscarreta, Podestà, Redondo Jiménez, Rovsing, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Stockton, Sudre, Tajani, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà

PSE: Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Carlotti, Carnero González, Cercas, Cerdeira Morterero, De Keyser, Díez González, Dührkop Dührkop, Duhamel, Garot, Ghilardotti, Gillig, Guy-Quint, Hazan, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Koukiadis, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Napoletano, Obiols i Germà, Patrie, Poignant, Poos, Rocard, Roure, dos Santos, Sauquillo Pérez del Arco, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Zimeray, Zorba

UEN: Angelilli, Musumeci, Queiró, Ribeiro e Castro

Abstention: 28

EDD: Butel

GUE/NGL: Krivine, Schröder Ilka, Vachetta

NI: Borghezio, Garaud, Gorostiaga Atxalandabaso

PPE-DE: Montfort, Posselt

PSE: Adam, Campos, Ferreira, Lage, Rothley, Swiebel, Vairinhos

UEN: Andrews, Camre, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ó Neachtain, Pasqua, Segni, Thomas-Mauro

16. van Hulten report A5-0218/2004

Amendment 2/rev.

For: 157

EDD: Belder, Bernié, Blokland, Bonde, Booth, Butel, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Olsson, Plooi-van Gorsel, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Thors, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Brie, Caudron, Fiebigler, Kaufmann, Manisco, Markov, Meijer, Uca

NI: Berthu, Borghezio, Garaud, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Souchet, Varaut

PPE-DE: Arvidsson, Atkins, Bourlanges, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Deprez, Deva, Dover, Elles, Foster, Gähler, Glase, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Harbour, Heaton-Harris, Inglewood, Jackson, Jeggle, Kastler, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Liese, Maat, McMillan-Scott, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Parish, Perry, Pex, Purvis, Sacrédeus, Schnellhardt, Stenmarck, Stevenson, Sturdy, Twinn, Van Orden, Villiers, Wachtmeister, Wijkman, Xarchakos, Zissener

PSE: Andersson, van den Berg, Berger, Bösch, Bowe, van den Burg, Corbey, De Keyser, Désir, Dhaene, El Khadraoui, Färm, van Hulten, Mendiluce Pereiro, Prets, Scheele, Theorin, Thorning-Schmidt, Van Lancker, Watts, Wiersma

Wednesday 21 April 2004

UEN: Hyland, Ó Neachtain

Verts/ALE: Duthu, Echerer, Evans Jillian, Gahrton, Lucas, de Roo, Staes, Voggenhuber

Against: 299

EDD: Mathieu

ELDR: Nordmann, Pesälä, Pohjamo, Sørensen, Väyrynen

NI: Beysen, Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Hager, Lang, Stirbois

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Descamps, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grossetête, Hatzidakis, Hermange, Herranz García, Hieronymi, Jarzembowski, Karas, Klamt, Klač, Kratsa-Tsagaropoulou, Lamassoure, Lehne, Lisi, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Pack, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, Díez González, Dührkop Dührkop, Duhamel, Duin, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Ivar, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Terrón i Cusí, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Whitehead, Wynn, Zimeray, Zorba, Zrihen

UEN: Angelilli, Marchiani, Muscardini, Mussa, Pasqua, Queiró, Ribeiro e Castro, Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Cohn-Bendit, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, Rühle, Schroedter, Sørensen, Turmes, Wuori, Wyn

Abstention: 38

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Krivine, Modrow, Nair, Papayannakis, Patakis, Schmid Herman, Schröder Ilka, Sjøstedt, Sylla, Vachetta

NI: Gorostiaga Atxalandabaso

PPE-DE: Lulling

PSE: Lund, Rothley, Swoboda, Vairinhos

UEN: Andrews, Camre, Collins, Fitzsimons, Musumeci, Thomas-Mauro

Wednesday 21 April 2004

17. van Hulten report A5-0218/2004

Amendments 3/rev. + 6

For: 208

EDD: Abitbol, Belder, Bernié, Blokland, Bonde, Booth, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Ribeiro, Schmid Herman, Sjöstedt, Sylla, Uca

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

PPE-DE: Atkins, Balfé, Bourlanges, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Deprez, Deva, De Veyrac, Dover, Elles, Foster, Goodwill, Grosch, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Maat, McMillan-Scott, Matikainen-Kallström, Musotto, Nicholson, Oomen-Ruijten, Parish, Perry, Provan, Purvis, Sacrédeus, Santini, Scallon, Smet, Stevenson, Stockton, Sturdy, Tannock, Thyssen, Twinn, Van Orden, van Velzen, Villiers, Wijkman

PSE: Andersson, van den Berg, Berger, Bösch, van den Burg, Casaca, Corbey, De Keyser, Dhaene, El Khadraoui, Färm, Hedkvist Petersen, van Hulten, Lund, Myller, Prets, Scheele, Swoboda, Theorin, Thorning-Schmidt, Vairinhos, Van Lancker, Wiersma

UEN: Andrews, Collins, Fitzsimons, Hyland, Muscardini, Musumeci, Ó Neachtain, Segni

Verts/ALE: Aaltonen, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 281

EDD: Mathieu

ELDR: Flesch, Pohjamo

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Hager

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cushnahan, Daul, Descamps, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Bowe, Campos, Carlotti, Carnero González, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Evans Robert J.E., Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch,

Wednesday 21 April 2004

Haug, Hazan, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swibel, Terrón i Cusí, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Watts, Whitehead, Wynn, Zimeray, Zorba, Zrihen

UEN: Queiró, Ribeiro e Castro

Verts/ALE: Duthu

Abstention: 21

EDD: Butel

ELDR: Väyrynen

GUE/NGL: Alyssandrakis, Korakas, Krivine, Patakis, Schröder Ilka, Vachetta

NI: Claeys, Dillen, Garaud, de Gaulle, Lang, Stirbois

PSE: Marinho

UEN: Angelilli, Camre, Marchiani, Mussa, Pasqua, Thomas-Mauro

18. van Hulten report A5-0218/2004

Amendment 4/rev.

For: 172

EDD: Abitbol, Belder, Bernié, Blokland, Bonde, Booth, Butel, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, Huhne, Jensen, Malmström, Monsonís Domingo, Olsson, Plooi-j-van Gorsel, Riis-Jørgensen, Rousseaux, Sanders-ten Holte, Sørensen, Thors, Vermeer

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Sjöstedt, Sylla, Vachetta

NI: Berthu, Garaud, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Souchet, Varaut

PPE-DE: Atkins, Balfé, Bourlanges, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Deprez, Deva, De Veyrac, Dover, Elles, Ferri, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Khanbhai, Kirkhope, Korhola, Maat, McMillan-Scott, Matikainen-Kallström, Nicholson, Perry, Provan, Purvis, Scallon, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden, Villiers, Wijkman

PSE: van den Berg, Berger, Bösch, Bowe, van den Burg, Casaca, Cashman, Corbey, De Keyser, Dhaene, El Khadraoui, Evans Robert J.E., Gill, Honeyball, Howitt, Hughes, van Hulten, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Morgan, Myller, O'Toole, Pittella, Prets, Read, Scheele, Simpson, Skinner, Stihler, Swoboda, Thorning-Schmidt, Titley, Vairinhos, Van Lancker, Watts, Whitehead, Wiersma, Wynn

UEN: Andrews, Angelilli, Collins, Fitzsimons, Hyland, Muscardini, Ó Neachtain

Verts/ALE: Ahern, Buitenweg, Gahrton, Lucas, Morera Català, Nogueira Román, de Roo, Staes

Wednesday 21 April 2004

Against: 323

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Calò, De Clercq, Di Pietro, Duff, Flesch, Ludford, Maaten, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rutelli, Väyrynen, Vallvé, Van Hecke, Wallis, Watson

GUE/NGL: Alyssandrakis, Boudjenah, Brie, Fiebiger, Kaufmann, Korakas, Uca

NI: Beysen, Bonino, Claey, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Hager, Lang, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cushnahan, Daul, Descamps, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübzig, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Stockmann, Swiebel, Terrón i Cusí, Theorin, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Zimeray, Zorba

UEN: Marchiani, Mussa, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Onesta, Rod, Rühle, Schroedter, Sörensen, Turmes, Voggenhuber, Wyn

Abstention: 10

ELDR: Manders

GUE/NGL: Krivine

NI: Borghezio, Gorostiaga Atxalandabaso

PSE: Marinho, Zrihen

UEN: Camre, Musumeci

Verts/ALE: Mayol i Raynal, Wuori

Wednesday 21 April 2004

19. van Hulten report A5-0218/2004**Amendment 33****For: 195**

EDD: Belder, Blokland, Bonde, Booth, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Sjöstedt, Sylla, Uca, Vachetta

NI: Beysen, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer, Varaut

PPE-DE: Atkins, Balfe, Bébéar, Boursanges, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Ebner, Elles, Fatuzzo, Foster, Fourtou, Goodwill, Grosch, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Korhola, Lamassoure, Maat, McMillan-Scott, Marques, Martens, Martin Hugues, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Parish, Perry, Pex, Pronk, Provan, Salafranca Sánchez-Neyra, Santer, Schaffner, Schleicher, Smet, Stevenson, Stockton, Sturdy, Sudre, Tannock, Thyssen, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto

PSE: Andersson, van den Berg, van den Burg, Corbey, De Keyser, Dhaene, El Khadraoui, Färm, Hedkvist Petersen, van Hulten, Lange, Lund, Paasilinna, Swoboda, Theorin, Thorning-Schmidt, Vairinhos, Van Lancker, Wiersma

UEN: Andrews, Camre, Collins, Fitzsimons, Hyland, Ó Neachtain

Verts/ALE: Breyer, Buitenweg, Cohn-Bendit, Jonckheer, Lucas, Schörling, Staes

Against: 275

EDD: Abitbol, Bernié, Butel, Mathieu

ELDR: Nordmann

GUE/NGL: Bakopoulos

NI: Hager

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cushnahan, Dell'Utri, Dimitrakopoulos, Doyle, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Santini, Sartori, Scallon, Schierhuber, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vila Abelló, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Evans Robert J.E., Fava, Ferreira, Ford, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach,

Wednesday 21 April 2004

Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Terrón i Cusí, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Watts, Whitehead, Wynn, Zimeray, Zorba

UEN: Marchiani, Muscardini, Mussa, Musumeci, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Graefe zu Baringdorf

Abstention: 45

NI: Berthu, Bonino, Borghezio, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Lang, de La Perrière, Souchet, Stirbois

PPE-DE: Wijkman

PSE: Marinho, Rothley

UEN: Angelilli

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Isler Béguin, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schroedter, Sørensen, Voggenhuber, Wuori, Wyn

20. van Hulten report A5-0218/2004

Amendment 35

For: 99

EDD: Abitbol, Belder, Blokland, Bonde, Booth, Butel, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Busk, Costa Paolo, Davies, Dybkjær, Flesch, Jensen, Malmström, Olsson, Paulsen, Riis-Jørgensen, Schmidt, Sørensen, Thors

GUE/NGL: Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigg, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Ribeiro, Schmid Herman, Sjöstedt, Sylla, Uca, Vachetta

NI: Beysen, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Grosch, Kauppi, Maat, Matikainen-Kallström, Smet, Thyssen

PSE: Andersson, van den Burg, Corbey, De Keyser, Dhaene, El Khadraoui, Färm, Ford, Hedkvist Petersen, van Hulten, Lange, Lund, Morgan, Myller, Swoboda, Theorin, Thorning-Schmidt, Vairinhos, Van Lancker, Wiersma

UEN: Camre

Verts/ALE: Breyer, Buitenweg, Echerer, Ferrández Lezaun, Jonckheer, Lannoye, Lucas, Mayol i Raynal, Rod, Staes, Turmes, Wuori

Against: 355

EDD: Bernié, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Calò, Clegg, De Clercq, Duff, Huhne, Ludford, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Rousseaux, Rutelli, Sanders-ten Holte, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

Wednesday 21 April 2004

GUE/NGL: Bakopoulos, Kaufmann**NI:** Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Hager

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Evans Robert J.E., Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lavarra, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Terrón i Cusí, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Watts, Whitehead, Wynn, Zimeray, Zorba

UEN: Angelilli, Marchiani, Muscardini, Mussa, Musumeci, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Graefe zu Baringdorf**Abstention: 53****GUE/NGL:** Ainardi, Alyssandrakis, Patakis, Schröder Ilka**NI:** Berthu, Claeys, Dillen, Garaud, de Gaulle, Lang, de La Perrière, Souchet, Stirbois, Varaut**PPE-DE:** Callanan, De Veyrac, Goodwill, Hannan, Heaton-Harris, Helmer, McMillan-Scott, Nicholson**PSE:** van den Berg, Marinho, Rothley, Zrihen**UEN:** Andrews, Collins, Fitzsimons, Hyland, Ó Neachtain

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Duthu, Evans Jillian, Flautre, Frassoni, Gahrton, Lagendijk, Lambert, McKenna, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Voggenhuber, Wynn

Wednesday 21 April 2004

21. van Hulten report A5-0218/2004

Amendment 34, 1st part

For: 151

EDD: Abitbol, Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Boogerd-Quaak, Busk, Dybkjær, Jensen, Malmström, Paulsen, Riis-Jørgensen, Schmidt, Sørensen, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Schmid Herman, Sjöstedt, Sylla, Uca, Vachetta

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Fiori, Kauppi, Korhola, Matikainen-Kallström

PSE: Adam, Andersson, van den Berg, Bowe, van den Burg, Cashman, Corbett, Corbey, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Gill, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Kinnock, Leinen, Lund, McAvan, McCarthy, Martin David W., Mendiluce Pereiro, Miller, Moraes, Morgan, Myller, O'Toole, Read, Simpson, Skinner, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Vairinhos, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Lagendijk, Lannoye, Lucas, Maes, Mayol i Raynal, Morera Català, Nogueira Román, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 320

EDD: Bernié, Butel, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, van den Bos, Calò, Clegg, De Clercq, Di Pietro, Duff, Flesch, Huhne, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Rousseaux, Rutelli, Sanders-ten Holte, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Watson

NI: Beysen, Borghezio, Hager

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klatz, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bösch, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Dehousse, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Fava, Ferreira, Fruteau, Garot, Ghilardotti, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lavarra, Linkohr, McNally, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Terrón i Cusí, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Walter, Zimeray, Zorba

UEN: Queiró, Ribeiro e Castro

Verts/ALE: Graefe zu Baringdorf, Jonckheer

Abstention: 39

ELDR: Davies

GUE/NGL: Boudjenah, Schröder Ilka

NI: Berthu, Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Callanan, Goodwill, Grosch, Hannan, Heaton-Harris, Helmer, Maat, McMillan-Scott, Montfort, Nicholson, Parish, Smet, Thyssen

PSE: De Keyser, Marinho, Rothley

Verts/ALE: Ahern, Gahrton, Isler Béguin, Lambert, McKenna, Onesta

22. van Hulten report A5-0218/2004

Amendment 44

For: 351

EDD: Abitbol, Belder, Bernié, Blokland, Bonde, Booth, van Dam, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Ribeiro, Schmid Herman, Sjöstedt, Sylla, Uca, Vachetta

NI: Beysen, Claeys, Dillen, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, Raschhofer, Stirbois

PPE-DE: Atkins, Balfe, Berend, Boursanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Deprez, Deva, De Veyrac, Doorn, Dover, Ebner, Elles, Ferber, Flemming, Florenz, Foster, Friedrich, Gahler, Glase, Goepel, Gomolka, Goodwill, Grosch, Hannan, Heaton-Harris, Helmer, Hieronymi, Jackson, Jeggle, Kastler, Kauppi, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Langen, Langenhagen, Lechner, Lehne, Lulling, Maat, McMillan-Scott, Martens, Matikainen-Kallström, Mayer Xaver, Menrad, Nassauer, Nicholson, Oomen-Ruijten, Pack, Parish, Perry, Pex, Posselt, Pronk, Provan, Purvis, Radwan, Sacrédeus, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stevenson, Stockton, Sturdy, Tannock, Theato, Thyssen, Twinn, Van Orden, van Velzen, Villiers, Wenzel-Perillo, Wijkman, Wuermeling, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Désir, Dhaene, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Mastorakis, Mendiluce Pereiro, Miller, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Piecyk, Pittella, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Van Lancker, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Angelilli, Camre, Marchiani, Muscardini, Mussa, Musumeci, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 146

EDD: Butel, Esclopé, Mathieu

ELDR: Nordmann, Olsson, Plooi-j-van Gorsel

GUE/NGL: Alyssandrakis, Patakis

NI: Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Hager

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Böge, von Boetticher, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Descamps, Dimitrakopoulos, Doyle, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Inglewood, Jarzembowski, Kaldí, Karas, Keppelhoff-Wiechert, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Liese, Lisi, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Mauro, Méndez de Vigo, Morillon, Musotto, Naranjo Escobar, Nisticò, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Quisthoudt-Rowohl, Rack, Redondo Jiménez, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schnellhardt, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wieland, Xarchakos, Zabell, Zacharakis, Zappalà

PSE: Aparicio Sánchez, Berenguer Fuster, Carnero González, Cercas, Cerdeira Morterero, Dehousse, Díez González, Izquierdo Rojo, Martínez Martínez, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Patrie, Pérez Royo, Poignant, Poos, dos Santos, Sauquillo Pérez del Arco, Soares, Soriano Gil, Sornosa Martínez, Sousa Pinto, Terrón i Cusí, Torres Marques, Valenciano Martínez-Orozco, Vattimo

UEN: Queiró

Abstention: 18

GUE/NGL: Ainardi, Schröder Ilka

NI: Berthu, Garaud, de La Perriere, Souchet, Varaut

PPE-DE: Montfort, Rübig

PSE: van den Berg, Marinho, Rothley, Volcic

UEN: Andrews, Collins, Fitzsimons, Hyland, Ó Neachtain

Wednesday 21 April 2004

23. van Hulten report A5-0218/2004**Amendment 16****For: 260****EDD:** Abitbol, Bernié, Butel, Esclopé, Mathieu, Saint-Josse**ELDR:** Flesch, Nordmann**GUE/NGL:** Ainardi, Boudjenah, Brie, Caudron, Fiebiger, Fraisse, Herzog, Kaufmann, Korakas, Manisco, Markov, Modrow, Nair, Papayannakis, Sylla**NI:** Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Hager, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Descamps, Dimitrakopoulos, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Conrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Baltas, Berenguer Fuster, Berès, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Ferreira, Fruteau, Garot, Ghilardotti, Gillig, Goebbels, Guy-Quint, Hänsch, Hazan, Izquierdo Collado, Katiforis, Kindermann, Koukiadis, Kuckelkorn, Lage, Leinen, Malliori, Marinho, Mastorakis, Medina Ortega, Miguélez Ramos, Moraes, Napoletano, Napolitano, Obiols i Germà, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Rocard, Roure, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Stockmann, Terrón i Cusí, Torres Marques, Tsatsos, Vairinhos, Zorba

UEN: Andrews, Angelilli, Collins, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro**Verts/ALE:** Boumediene-Thiery, Breyer, Cohn-Bendit, Duthu, Flautre, Graefe zu Baringdorf, Isler Béguin, Mayol i Raynal, Onesta, Schörling, Schroedter, Turmes**Against: 231****EDD:** Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Koulourianos, Meijer, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt, Uca**NI:** Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso

PPE-DE: Arvidsson, Atkins, Balfé, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Cornillet, Corrie, Deprez, Deva, De Veyrac, Doorn, Dover, Elles, Florenz, Foster, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Korhola, Maat, McMillan-Scott, Martens, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Oostlander, Parish, Perry, Pex, Pronk, Provan, Purvis, Sacrédeus, Smet, Stenmarck, Stevenson, Sturdy, Tannock, Thyssen, Twinn, Van Orden, van Velzen, Villiers, Wachtmeister, Wijkman

Wednesday 21 April 2004

PSE: Adam, Andersson, Aparicio Sánchez, Barón Crespo, van den Berg, Berger, Bösch, Bowe, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Gill, Glante, Görlach, Gröner, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Karamanou, Keßler, Kinnock, Krehl, Kreissl-Dörfler, Kuhne, Lange, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Martin David W., Martínez Martínez, Miller, Morgan, Müller, Myller, O'Toole, Paasilinna, Paciotti, Pittella, Prets, Read, Rothe, Ruffolo, Sakellariou, Schmid Gerhard, Simpson, Skinner, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Van Lancker, Vattimo, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray

UEN: Camre, Queiró

Verts/ALE: Aaltonen, Ahern, Bouwman, Buitenweg, Evans Jillian, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Nogueira Román, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Abstention: 14

EDD: Farage

GUE/NGL: Krivine, Schröder Ilka, Vachetta

PSE: Aguiriano Nalda, Rapkay, Roth-Behrendt, Rothley, Volcic

UEN: Fitzsimons

Verts/ALE: Ferrández Lezaun, Frassoni, McKenna, Morera Català

24. van Hulten report A5-0218/2004

Amendment 17

For: 265

EDD: Abitbol, Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Costa Paolo, Flesch, Nordmann

GUE/NGL: Ainardi, Boudjenah, Brie, Caudron, Fiebiger, Fraisse, Herzog, Kaufmann, Manisco, Markov, Modrow, Näir, Papayannakis, Sylla

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Hager, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Cardoso, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Descamps, De Veyrac, Dimitrakopoulos, Doyle, Ebner, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aparicio Sánchez, Baltas, Berès, Bösch, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Goebbels, Görlach, Guy-Quint, Hänsch, Hazan, Izquierdo Collado, Izquierdo Rojo, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Lage, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Napoletano, Napolitano, Obiols i Germà, Patrie, Pérez Royo, Poignant, Poos, Rocard, Roure, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Terrón i Cusí, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Volcic

Wednesday 21 April 2004

UEN: Andrews, Angelilli, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Boumediene-Thiery, Cohn-Bendit, Duthu, Flautre, Graefe zu Baringdorf, Isler Béguin, Mayol i Raynal, Onesta, Rod, Schroedter, Turmes

Against: 233

EDD: Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Qaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Korakas, Koulourianos, Meijer, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt

NI: Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Arvidsson, Atkins, Balfé, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Corrie, Deprez, Deva, Doorn, Dover, Elles, Florenz, Foster, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Korhola, Maat, McMillan-Scott, Martens, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Oostlander, Parish, Pastorelli, Pex, Pronk, Provan, Purvis, Sacrédeus, Smet, Stenmarck, Stevenson, Sturdy, Tannock, Thyssen, Twinn, Van Orden, van Velzen, Villiers, Wachtmeister, Wijkman

PSE: Adam, Andersson, Berenguer Fuster, van den Berg, Berger, Bowe, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Rossa, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Ford, Gill, Glante, Gröner, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Junker, Karamanou, Kinnock, Krehl, Kuhne, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Morgan, Müller, Myller, O'Toole, Paasilinna, Paciotti, Pittella, Prets, Read, Ruffolo, Sakellariou, Schmid Gerhard, Simpson, Skinner, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Van Lancker, Vattimo, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Camre, Queiró

Verts/ALE: Aaltonen, Ahern, Bouwman, Buitenweg, Evans Jillian, Frassoni, Gahrton, Jonckheer, Lagendijk, Lucas, McKenna, Maes, Morera Català, de Roo, Rühle, Schörling, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Abstention: 12

GUE/NGL: Schröder Ilka, Vachetta

PSE: Aguiriano Nalda, Barón Crespo, Bullmann, Roth-Behrendt, Rothley

Verts/ALE: Breyer, Echerer, Ferrández Lezaun, Lambert, Nogueira Román

25. van Hulten report A5-0218/2004

Amendment 18

For: 275

EDD: Abitbol, Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: André-Léonard, Flesch

GUE/NGL: Ainardi, Boudjenah, Brie, Caudron, Fiebigier, Fraisse, Herzog, Manisco, Markov, Modrow, Näir, Papayannakis, Sylla

Wednesday 21 April 2004

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Hager, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Cardoso, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Descamps, De Veyrac, Dimitrakopoulos, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pérez Álvarez, Pirker, Píscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, Bösch, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Izquierdo Collado, Izquierdo Rojo, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Lage, Lavarra, Leinen, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napolitano, Napolitano, Obiols i Germà, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rocard, Rothley, Roure, dos Santos, Sauquillo Pérez del Arco, Savary, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Tsatsos, Vairinhos, Valenciano Martínez-Orozco

UEN: Andrews, Angelilli, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Cohn-Bendit, Duthu, Echerer, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lambert, Lannoye, Onesta, Rod, Schroedter, Turmes

Against: 223

EDD: Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Chountis, Eriksson, Frahm, Jové Peres, Korakas, Koulourianos, Meijer, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt, Vachetta

NI: Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Camisón Asensio, Cederschiöld, Chichester, Corrie, Deprez, Deva, Doorn, Dover, Elles, Florenz, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Korhola, Maat, McMillan-Scott, Martens, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Oostlander, Pastorelli, Perry, Pex, Pronk, Provan, Purvis, Sacrédeus, Stenmarck, Stevenson, Stockton, Sturdy, Tannock, Thyssen, Twinn, Van Orden, van Velzen, Wachtmeister

PSE: Adam, Andersson, van den Berg, Berger, Bowe, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Rossa, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Ford, Gill, Glante, Gröner, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Karamanou, Kessler, Kinnock, Krehl, Kuhne, Lange, Linkohr, Lund, McAvan, McCarthy, McNally, Martin David W., Mendiluce Pereiro, Miller, Moraes, Morgan, Myller, O'Toole, Paasilinna, Paciotti, Prets, Read, Ruffolo, Sakellariou, Schmid Gerhard, Simpson, Skinner, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Wednesday 21 April 2004

UEN: Camre, Queiró

Verts/ALE: Ahern, Bouwman, Buitenweg, Evans Jillian, Jonckheer, Lagendijk, Lucas, McKenna, Maes, Mayol i Raynal, de Roo, Rühle, Schörling, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Abstention: 16

GUE/NGL: Kaufmann, Krivine, Schröder Ilka, Uca

NI: Borghezio

PSE: Aguiriano Nalda, Barón Crespo, Bullmann, Rapkay, Roth-Behrendt, Scheele, Schulz

Verts/ALE: Breyer, Ferrández Lezaun, Morera Català, Nogueira Román

26. van Hulten report A5-0218/2004

Amendment 19

For: 276

EDD: Abitbol, Bernié, Booth, Butel, Esclopé, Farage, Saint-Josse, Titford

ELDR: André-Léonard, Flesch, Nordmann

GUE/NGL: Ainardi, Boudjenah, Brie, Caudron, Fiebigier, Fraisse, Herzog, Kaufmann, Manisco, Markov, Modrow, Naïr, Papayannakis, Sylla

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Hager, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cornillet, Daul, Descamps, De Veyrac, Dimitrakopoulos, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Goebbels, Guy-Quint, Hänsch, Haug, Hazan, Izquierdo Rojo, Katiforis, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lavarra, Leinen, Linkohr, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napoletano, Napolitano, Obiols i Germà, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rocard, Rothley, Roure, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Terrón i Cusí, Tsatsos, Vairinhos, Valenciano Martínez-Orozco

UEN: Andrews, Angelilli, Collins, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Duthu, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lambert, Onesta, Rod, Turmes, Voggenhuber

Wednesday 21 April 2004

Against: 224

EDD: Belder, Blokland, Bonde, Sandbæk

ELDR: Andreassen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Korakas, Koulourianos, Meijer, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt

NI: Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Deprez, Deva, Doorn, Dover, Elles, Florenz, Foster, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Korhola, Maat, McMillan-Scott, Martens, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Oostlander, Parish, Pastorelli, Perry, Pex, Pronk, Provan, Purvis, Stenmarck, Stevenson, Stockton, Sturdy, Tannock, Thyssen, Twinn, Van Orden, Villiers, Wachtmeister, Wijkman

PSE: Adam, Andersson, van den Berg, Berger, Bösch, Bowe, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Rossa, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Ford, Gill, Glante, Görlach, Gröner, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Karamanou, Keßler, Kinnock, Kuhne, Lange, Lund, McAvan, McCarthy, McNally, Martin David W., Mendiluce Pereiro, Miller, Moraes, Morgan, Myller, O'Toole, Paasilinna, Paciotti, Prets, Read, Rothe, Ruffolo, Sakellariou, Scheele, Simpson, Skinner, Stihler, Swibel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Van Lancker, Vattimo, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Camre, Queiró

Verts/ALE: Ahern, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Evans Jillian, Jonckheer, Lagendijk, Lannoye, Lucas, McKenna, Maes, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Wuori, Wyn

Abstention: 17

EDD: van Dam

GUE/NGL: Krivine, Schröder Ilka, Uca, Vachetta

NI: Borghezio

PSE: Aguiriano Nalda, Barón Crespo, Bullmann, Rapkay, Roth-Behrendt, Volcic

Verts/ALE: Echerer, Ferrández Lezaun, Flautre, Morera Català, Nogueira Román

27. van Hulten report A5-0218/2004

Amendment 20

For: 271

EDD: Abitbol, Bernié, Butel, van Dam, Esclopé, Mathieu, Saint-Josse

ELDR: van den Bos, Flesch, Nordmann, Van Hecke

GUE/NGL: Ainardi, Boudjenah, Brie, Caudron, Fiebigier, Fraisse, Herzog, Kaufmann, Manisco, Markov, Modrow, Nair, Papayannakis, Sylla

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Hager, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Descamps, De Veyrac, Dimitrakopoulos, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou,

Wednesday 21 April 2004

Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martin Hugues, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oreja Arburúa, Pack, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, Berger, Bösch, Campos, Carlotti, Carnero González, Cercas, Cerdeira Morterero, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Goebbels, Guy-Quint, Hänsch, Hazan, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lavarra, Linkohr, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napolitano, Napolitano, Obiols i Germà, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rocard, Rothley, Roure, dos Santos, Sauquillo Pérez del Arco, Scheele, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Terrón i Cusí, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Volcic

UEN: Angelilli, Marchiani, Muscardini, Mussa, Musumeci, Pasqua, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Cohn-Bendit, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lambert, Maes, Mayol i Raynal, Onesta, Rod, Turmes

Against: 223

EDD: Belder, Blokland, Bonde, Booth, Farage, Sandbæk, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Malmström, Manders, Mulder, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Wallis, Watson

GUE/NGL: Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Korakas, Koulourianos, Meijer, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt

NI: Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Deprez, Deva, Doorn, Dover, Elles, Foster, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Korhola, Maat, McMillan-Scott, Martens, Matikainen-Kallström, Nicholson, Oomen-Ruijten, Oostlander, Parish, Pastorelli, Perry, Pex, Pronk, Provan, Purvis, Sacrédeus, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Tannock, Thyssen, Twinn, Van Orden, van Velzen, Villiers, Wachtmeister, Wijkman

PSE: Adam, Andersson, van den Berg, Bowe, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Rossa, Dhaene, Duin, El Khadraoui, Evans Robert J.E., Färm, Ford, Gill, Glante, Görlach, Gröner, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Keßler, Kinnock, Kuhne, Lange, Leinen, Lund, McAvan, McCarthy, McNally, Martin David W., Mendiluce Pereiro, Miller, Moraes, Morgan, Myller, O'Toole, Paasilinna, Paciotti, Read, Roth-Behrendt, Rothe, Ruffolo, Sakellariou, Schmid Gerhard, Simpson, Skinner, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Van Lancker, Vattimo, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Fitzsimons, Hyland, Ó Neachtain, Queiró

Verts/ALE: Aaltonen, Ahern, Bouwman, Buitenweg, Evans Jillian, Jonckheer, Lagendijk, Lucas, McKenna, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Wuori, Wyn

Wednesday 21 April 2004

Abstention: 21

ELDR: André-Léonard, Newton Dunn

GUE/NGL: Krivine, Schröder Ilka, Uca, Vachetta

NI: Borghezio

PSE: Aguiriano Nalda, Barón Crespo, Bullmann, Rapkay, Savary

Verts/ALE: Boumediene-Thiery, Breyer, Ferrández Lezaun, Flautre, Gahrton, Lannoye, Morera Català, Nogueira Román, Voggenhuber

28. van Hulten report A5-0218/2004

Resolution

For: 436

EDD: Belder, Blokland, Bonde, Booth, van Dam, Farage, Mathieu, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Nordmann, Olsson, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Bergaz Conesa, Blak, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Meijer, Naïr, Ribeiro, Schmid Herman, Seppänen, Sjöstedt, Sylla

NI: Berthu, Beysen, Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Hager, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dhaene, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Karamanou, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miller, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Wednesday 21 April 2004

UEN: Andrews, Angelilli, Camre, Collins, Fitzsimons, Hyland, Muscardini, Mussa, Musumeci, Ó Neachtain, Pasqua, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 34

EDD: Abitbol, Bernié, Saint-Josse

GUE/NGL: Bakopoulos

NI: Claeyss, Dillen, de Gaulle, Ilgenfritz, Kronberger, Lang, Raschhofer, Stirbois

PPE-DE: Coelho, Florenz

PSE: Aparicio Sánchez, Cercas, Ford, Goebbels, Izquierdo Collado, Izquierdo Rojo, Katiforis, Miguélez Ramos, Miranda de Lage, Poos, dos Santos, Soares, Sousa Pinto, Torres Marques, Valenciano Martínez-Orozco

UEN: Marchiani, Queiró, Ribeiro e Castro

Verts/ALE: Frassoni, Jonckheer

Abstention: 48

EDD: Butel

ELDR: Newton Dunn, Paulsen, Schmidt

GUE/NGL: Ainardi, Alyssandrakis, Boudjenah, Korakas, Krivine, Manisco, Modrow, Papayannakis, Patakis, Schröder Ilka, Uca, Vachetta

NI: Garaud, Gorostiaga Atxalandabaso, de La Perriere, Varaut

PPE-DE: Atkins, Balfe, Bowis, Bradbourn, Bushill-Matthews, Chichester, Corrie, Deva, Dover, Elles, Foster, Harbour, Inglewood, Jackson, Khanbhai, Kirkhope, Montfort, Pastorelli, Perry, Provan, Purvis, Stevenson, Stockton, Sturdy, Tannock

PSE: Lund, Marinho, Rothley

29. Ghilardotti report A5-0253/2004

Paragraph 21

For: 360

EDD: Belder, Blokland, Bonde, van Dam, Sandbæk, Titford

ELDR: André-Léonard, Attwooll, Boogerd-Qaak, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Maaten, Malmström, Manders, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Vallvé, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Blak, Frahm

NI: Beysen, Hager, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Almeida Garrett, Andria, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deprez, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grosch, Hannan, Harbour,

Wednesday 21 April 2004

Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lehne, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Méndez de Vigo, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vila Abelló, Villiers, Wenzel-Perillo, Wieland, Wijkman, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusi, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Verts/ALE: Ahern, Bouwman, Breyer, Buitenweg, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Turmes, Wyn

Against: 112

EDD: Abitbol, Booth, Mathieu

ELDR: Andreasen, van den Bos, Busk, Costa Paolo, Jensen, Ludford, Monsonís Domingo, Nordmann, Riis-Jørgensen, Sørensen, Thors, Väyrynen

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebig, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Schröder Ilka, Sylla, Uca

NI: Berthu, Claeys, Garaud, de Gaulle, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Arvidsson, Bébér, Cederschiöld, Cornillet, Daul, Descamps, De Veyrac, Fourtou, Grönfeldt Bergman, Grossetête, Hermange, Kauppi, Korhola, Lamassoure, Lisi, Martin Hugues, Matikainen-Kallström, Menrad, Montfort, Pastorelli, Sacrédeus, Santer, Santini, Schaffner, Stenmarck, Sudre, Suominen, de Veyrinas, Vlasto, Wachtmeister, Wuermeling

PSE: Carlotti, Dehousse, Garot, Hedkvist Petersen, Theorin, Thorning-Schmidt

UEN: Andrews, Camre, Collins, Fitzsimons, Hyland, Marchiani, Mussa, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Duthu, Isler Béguin, Lucas, Sörensen, Staes, Voggenhuber, Wuori

Abstention: 23

EDD: Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Eriksson, Schmid Herman, Seppänen, Sjöstedt, Vachetta

NI: Bonino, Borghezio, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter

Wednesday 21 April 2004

PPE-DE: Mayer Xaver, Posselt

PSE: Marinho

UEN: Musumeci

Verts/ALE: McKenna, Mayol i Raynal, Morera Català

30. B5-0188/2004 – Cyprus

Paragraph 2

For: 399

EDD: Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Blak, Fraise, Kaufmann, Meijer, Modrow, Naïr, Papayannakis, Uca

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Kronberger, Raschhofer

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Méndez de Vigo, Montfort, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Rack, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Zabell, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Pittella, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Collins, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Onesta, Rod, de Roo, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 21 April 2004

Against: 34

GUE/NGL: Ainardi, Alyssandrakis, Boudjenah, Brie, Caudron, Chountis, Cossutta, Eriksson, Fiebiger, Herzog, Jové Peres, Korakas, Koulourianos, Markov, Patakis, Ribeiro, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Claeys, de Gaulle, Lang, de La Perriere, Souchet, Stirbois

PPE-DE: Helmer, Pastorelli, Wijkman, Xarchakos, Zacharakis

PSE: Haug

UEN: Camre

Verts/ALE: Morera Català

Abstention: 16

EDD: Booth, Butel, Mathieu, Saint-Josse, Titford

GUE/NGL: Bakopoulos, Bordes, Cauquil, Di Lello Finuoli, Krivine, Laguiller, Schröder Ilka

NI: Borghezio, Gorostiaga Atxalandabaso

PPE-DE: Kastler

PSE: Marinho

31. B5-0188/2004 – Cyprus

Amendment 4

For: 67

EDD: Belder, Blokland, Booth, van Dam, Titford

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Markov, Modrow, Nair, Patakis, Puerta, Ribeiro, Seppänen, Sjöstedt, Sylla, Uca

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Averoff, Banotti, Dimitrakopoulos, Doyle, Ferrer, Hatzidakis, Kaldí, Kratsa-Tsagaropoulou, Marinos, Nisticò, Sacrédeus, Trakatellis, Wijkman, Xarchakos, Zacharakis

PSE: Aguiriano Nalda

UEN: Camre, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain

Against: 417

EDD: Bonde, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Fraisse, Meijer

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Ayuso González, Balfe, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler,

Wednesday 21 April 2004

Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Camero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Marchiani, Mussa, Musumeci, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lucas, McKenna, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 19

EDD: Abitbol, Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Bakopoulos, Blak, Bordes, Brie, Frahm, Krivine, Laguiller, Papayannakis, Schmid Herman, Schröder Ilka, Vachetta

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

Verts/ALE: Lambert

32. B5-0188/2004 – Cyprus

Amendment 6

For: 61

EDD: Belder, Bernié, Blokland, van Dam, Esclopé, Saint-Josse

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Herzog, Jové Peres, Korakas, Koulourianos, Krivine, Markov, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Seppänen, Sjöstedt, Sylla, Vachetta

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Souchet, Stirbois, Varaut

Wednesday 21 April 2004

PPE-DE: Averoff, Banotti, Dimitrakopoulos, Doyle, Ferrer, García-Orcoyen Tormo, Hatzidakis, Kaldí, Kratsa-Tsagaropoulou, Marinos, Nisticò, Sacrédeus, Trakatellis, Wijkman, Xarchakos, Zacharakis

Against: 399

EDD: Bonde, Mathieu, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Blak, Brie, Fiebiger, Frahm, Fraise, Kaufmann, Meijer, Puerta, Uca

NI: Beysen, Bonino, Della Vedova, Dupuis

PPE-DE: Almeida Garrett, Andria, Arvidsson, Ayuso González, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Boursanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Doorn, Dover, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hermange, Herranz García, Hieronymi, Jarzembowski, Jeggel, Karas, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., 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, Ivar, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Abstention: 42

EDD: Abitbol, Booth, Titford

GUE/NGL: Bakopoulos, Bordes, Cauquil, Laguiller, Schröder Ilka

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

Wednesday 21 April 2004

PPE-DE: Atkins, Balfe, Bradbourn, Callanan, Chichester, Corrie, Deva, Elles, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, McMillan-Scott, Nicholson, Parish, Perry, Provan, Purvis, Scallon, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden, Villiers

PSE: Poignant

33. B5-0188/2004 – Cyprus Amendment 15

For: 59

EDD: Abitbol, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Saint-Josse

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Ilgenfritz, Kronberger, Lang, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Wijkman

PSE: Lund

UEN: Camre

Against: 431

EDD: Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Puerta

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, de La Perriere

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt,

Wednesday 21 April 2004

Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Collins, Crowley, Fitzsimons, Hyland, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 7

EDD: Booth, Titford

GUE/NGL: Bakopoulos, Bordes, Cauquil, Laguiller

NI: Martin Hans-Peter

34. B5-0188/2004 – Cyprus

Paragraph 11

For: 439

EDD: Bonde, Butel, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Blak, Eriksson, Fiebiger, Frahm, Fraisse, Kaufmann, Meijer, Modrow, Näir, Puerta, Uca, Vachetta

NI: Beysen, Bonino, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, de Gaulle, Ilgenfritz, Kronberger, Lang, Raschhofer, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger,

Wednesday 21 April 2004

Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Tsatsos, Vairinhos, Van Lancker, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Ó Neachtain, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitengeweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 46

EDD: Abitbol, Belder, Blokland, van Dam

GUE/NGL: Alyssandrakis, Bergaz Conesa, Boudjenah, Brie, Caudron, Chountis, Cossutta, Di Lello Finuoli, Figueiredo, Jové Peres, Korakas, Koulourianos, Markov, Patakis, Ribeiro, Seppänen, Sjöstedt, Sylla

NI: Berthu, Borghezio, de La Perrière, Souchet, Varaut

PPE-DE: Cesaro, Goepel, Karas, Sacrédeus, Sartori, van Velzen, Zacharakis

PSE: De Keyser, Dhaene, Marinho, Napolitano, Ruffolo, Titley, Valenciano Martínez-Orozco, Vattimo

UEN: Angelilli, Camre, Queiró

Verts/ALE: Graefe zu Baringdorf

Abstention: 15

EDD: Booth, Saint-Josse, Titford

GUE/NGL: Bakopoulos, Bordes, Cauquil, Herzog, Krivine, Laguiller, Papayannakis, Schröder Ilka

NI: Garaud, Gorostiaga Atxalandabaso, Martin Hans-Peter

UEN: Musumeci

35. B5-0188/2004 – Cyprus

Resolution

For: 422

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders,

Wednesday 21 April 2004

Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis

GUE/NGL: Blak, Caudron, Frahm, Fraise, Kaufmann, Markov, Meijer, Modrow, Papayannakis, Puerta, Uca

NI: Beysen, Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wieland, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 30

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Brie, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Jové Peres, Korakas, Manisco, Naïr, Patakis, Ribeiro, Seppänen

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Sacrédeus, Zacharakis

UEN: Camre

Wednesday 21 April 2004

Abstention: 47**EDD:** Booth, Titford**ELDR:** Vallvé**GUE/NGL:** Bakopoulos, Bordes, Cauquil, Chountis, Herzog, Krivine, Laguiller, Schmid Herman, Schröder Ilka, Sylla, Vachetta**NI:** Borghezio, Martin Hans-Peter**PPE-DE:** Atkins, Bradbourn, Callanan, Chichester, Corrie, Deva, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, McMillan-Scott, Nicholson, Parish, Perry, Provan, Purvis, Radwan, Scallon, Stevenson, Sturdy, Tannock, Twinn, Van Orden, Villiers**36. Radwan report A5-0192/2004****Amendment 5, 1st part****For: 433****EDD:** Belder, Blokland, van Dam**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis**GUE/NGL:** Herzog, Korakas**NI:** Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Ilgenfritz, Kronberger, Lang, Raschhofer, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jegggle, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz,

Wednesday 21 April 2004

Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Breyer, Buitenweg, Echerer, Evans Jillian, Frassoni, Graefe zu Baringdorf, Jonckheer, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 17

EDD: Abitbol, Bernié, Booth, Butel, Esclopé, Saint-Josse, Titford

ELDR: Thors

GUE/NGL: Naïr, Patakis

NI: Berthu, de La Perriere, Souchet, Varaut

UEN: Queiró, Ribeiro e Castro

Verts/ALE: Ferrández Lezaun

Abstention: 42

EDD: Bonde, Mathieu, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

37. Radwan report A5-0192/2004

Amendment 5, 2nd part

For: 304

EDD: Abitbol, Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Wallis

GUE/NGL: Blak, Eriksson, Frahm, Schmid Herman, Seppänen, Sjöstedt

NI: Beysen, Borghezio, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Herranz García, Hieronymi, Jarzembowski, Jeggel, Kaldí, Karas, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà,

Wednesday 21 April 2004

Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Rossa, Díez González, Duhamel, Evans Robert J.E., Ford, Gebhardt, Ghilardotti, Gill, Goebbels, Gröner, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Rojo, Jöns, Junker, Katiforis, Kinnock, Krehl, Kuckelkorn, Linkohr, Lund, McAvan, McCarthy, McNally, Marinho, Martin David W., Miguélez Ramos, Miller, Moraes, Morgan, Myller, Napolitano, O'Toole, Pérez Royo, Pittella, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Sousa Pinto, Swiebel, Swoboda, Thorning-Schmidt, Torres Marques, Vairinhos, Van Lancker, Watts, Whitehead, Wiersma, Wynn, Zimeray

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Ribeiro e Castro, Segni, Thomas-Mauro

Against: 147

EDD: Bernié, Booth, Butel, Esclopé, Saint-Josse, Titford

GUE/NGL: Alyssandrakis, Korakas

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Atkins, Bowis, Bradbourn, Brok, Bushill-Matthews, Callanan, Corrie, Deva, Dover, Elles, Foster, Hannan, Harbour, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, McMillan-Scott, Nicholson, Parish, Perry, Provan, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden, Villiers

PSE: Aguiriano Nalda, Baltas, Bowe, Campos, Casaca, De Keyser, Dhaene, Dührkop Dührkop, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gillig, Glante, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Izquierdo Collado, Karamanou, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Napolitano, Paasilinna, Paciotti, Patrie, Piecyk, Poignant, Poos, Rothley, Roure, Ruffolo, Savary, Scheele, Soriano Gil, Souladakis, Stockmann, Terrón i Cusí, Theorin, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 40

EDD: Bonde, Sandbæk

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigier, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schröder Ilka, Sylla, Uca, Vachetta

NI: Bonino, Dell'Alba, Della Vedova, Dupuis

UEN: Queiró

Wednesday 21 April 2004

38. Radwan report A5-0192/2004

Amendment 6

For: 489

EDD: Abitbol, Belder, Bernié, Blokland, Bonde, van Dam, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 21 April 2004

Against: 7**EDD:** Booth, Butel, Esclopé, Titford**NI:** Berthu, Souchet, Varaut**Abstention: 5****GUE/NGL:** Alyssandrakis, Korakas, Patakis**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter**39. Wijkman report A5-0261/2004****Amendment 19****For: 90****EDD:** Belder, Blokland, Bonde, van Dam, Sandbæk**GUE/NGL:** Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta**NI:** Kronberger, Raschhofer**PPE-DE:** García-Orcoyen Tormo**PSE:** Cerdeira Morterero, Dehousse, Dhaene, El Khadraoui, Lund, Moraes, Swiebel, Vairinhos, Van Lancker, Zimeray, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenvweg, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 384****EDD:** Bernié, Butel, Esclopé, Mathieu, Saint-Josse**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Ilgenfritz, Lang, de La Perriere, Souchet, Stirbois, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Sartori, Scallon, Schaffner, Schierhuber,

Wednesday 21 April 2004

Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zimmerling, Zissener

PSE: Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Abstention: 7

GUE/NGL: Alyssandrakis

NI: Bonino, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso

Verts/ALE: Ferrández Lezaun

40. Wijkman report A5-0261/2004

Amendment 7

For: 256

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Nordmann

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigg, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthou, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Lang, de La Perrière, Martin Hans-Peter, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldé, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber,

Wednesday 21 April 2004

Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Marinho, Pérez Royo

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Against: 225

EDD: Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wyn

Abstention: 6

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Dell'Alba, Della Vedova, Dupuis

41. Wijkman report A5-0261/2004

Amendment 24

For: 327

EDD: Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Wallis

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

Wednesday 21 April 2004

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

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Dhaene, El Khadraoui, Hedkvist Petersen, Lund, Marinho, Mendiluce Pereiro, Theorin, Thorning-Schmidt, Vairinhos, Van Lancker

UEN: Andrews, Collins, Crowley, Hyland, Marchiani, Ó Neachtain, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 158

EDD: Bernié, Butel, Esclopé, Saint-Josse

ELDR: Rousseaux

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Claeys, Dillen, Garaud, de Gaulle, Lang, Stirbois

PPE-DE: Lehne

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Angelilli, Camre, Muscardini, Mussa, Musumeci, Queiró, Segni

Wednesday 21 April 2004

Abstention: 7**ELDR:** Mulder, Vermeer**NI:** Dell'Alba, Della Vedova, Dupuis**PPE-DE:** Florenz**UEN:** Ribeiro e Castro**42. Wijkman report A5-0261/2004****Amendment 13****For: 89****EDD:** Belder, Blokland, Bonde, van Dam, Sandbæk**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta**NI:** Ilgenfritz, Kronberger, Raschhofer**PPE-DE:** Deprez, Grosch, Pronk**PSE:** Dehousse, Hedkvist Petersen, Lund, Marinho, Mendiluce Pereiro, Theorin, Vairinhos**UEN:** Andrews**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 389****EDD:** Abitbol, Bernié, Butel, Esclopé, Saint-Josse**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Sanders-ten Holte, Sørensen, Thors, Värynen, Vallvé, Van Hecke, Vermeer, Wallis**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Lang, de La Perriere, Souchet, Stirbois, Varaut**PPE-DE:** Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Angelilli, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Abstention: 7

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter

UEN: Musumeci

43. Wijkman report A5-0261/2004

Amendment 15

For: 230

EDD: Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Di Pietro, Malmström, Paulsen, Schmidt

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 21 April 2004

Against: 257**EDD:** Abitbol, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Huhne, Jensen, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Lang, de La Perrière, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushman, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcuyo Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xavier, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Ford, McCarthy

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Ferrández Lezaun**Abstention: 5****EDD:** Bernié, Butel, Esclopé, Saint-Josse**NI:** Martin Hans-Peter**44. Wijkman report A5-0261/2004****Resolution****For: 428****EDD:** Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

Wednesday 21 April 2004

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

PPE-DE: Almeida Garrett, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Coelho, Cornillet, Cushnahan, Daul, Deprez, Dimitrakopoulos, Doorn, Doyle, Ebner, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Harbour, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Klamt, Klab, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stockton, Sturdy, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, Vila Abelló, Villiers, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 39

EDD: Abitbol

ELDR: Vallvé

NI: Garaud

PPE-DE: Arvidsson, Atkins, Bébéar, Bradbourn, Cederschiöld, Chichester, Descamps, Deva, De Veyrac, Dover, Elles, Florenz, Fournou, Grönfeldt Bergman, Grossetête, Hannan, Hermange, Jackson, Khanbhai, Lehne, Marques, Martin Hugues, Montfort, Nicholson, Perry, Pronk, Purvis, Schaffner, Schleicher, Stenmarck, Stevenson, Sudre, Tannock, Twinn, de Veyrinas, Vlasto

Abstention: 12

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Claeys, Dillen, de Gaulle, Lang, Martin Hans-Peter, Stirbois

Wednesday 21 April 2004

PSE: Marinho**UEN:** Camre**Verts/ALE:** Jonckheer**45. Sterckx report A5-0257/2004****Amendment 10****For: 282****EDD:** Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Di Pietro, Duff, Dybkjær, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schröder Ilka, Sjöstedt, Sylla**NI:** Claeys, Dillen, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Stirbois**PPE-DE:** Bébéar, Daul, De Veyrac, Ferrer, Fourtou, Goepel, Grosch, Grossetête, Hermange, Korhola, Lamassoure, Martin Hugues, Morillon, Sacrédeus, Schaffner, Sudre, de Veyrinas, Vlasto**PSE:** Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen**UEN:** Andrews, Angelilli**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schöring, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 173****EDD:** Abitbol, Mathieu**NI:** Berthu, Beysen, Borghezio, Souchet, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Berend, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Dell'Utri, Deprez, Descamps, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Hannan, Harbour, Hatzidakis, Helmer, Hernández Mollar,

Wednesday 21 April 2004

Herranz García, Hieronymi, Inglewood, Jarzembowski, Kaldí, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Marinos, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Sturdy, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vila Abelló, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Haug

UEN: Collins, Crowley, Marchiani, Muscardini, Mussa, Musumeci, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 4

GUE/NGL: Krivine, Vachetta

NI: Bonino

UEN: Camre

46. Sterckx report A5-0257/2004

Amendment 11

For: 261

EDD: Belder, Blokland, van Dam, Sandbæk

ELDR: Dybkjær, Vallvé

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perrière, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Bébéar, Bourlanges, Cornillet, Daul, Descamps, De Veyrac, Ferrer, Fourtou, Goepel, Grosch, Grossetête, Hermange, Lamassoure, Martin Hugues, Montfort, Morillon, Sacrédeus, Schaffner, Sudre, de Veyrinas, Vlasto, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Wednesday 21 April 2004

UEN: Angelilli, Muscardini

Verts/ALE: Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 222**EDD:** Abitbol, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis

NI: Beysen, Borghezio

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deprez, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vila Abelló, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Collins, Crowley, Hyland, Marchiani, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 8**EDD:** Bernié, Butel, Esclopé, Saint-Josse**GUE/NGL:** Bordes, Cauquil**NI:** Bonino**UEN:** Camre**47. Sterckx report A5-0257/2004****Amendment 12****For: 314****EDD:** Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

Wednesday 21 April 2004

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Claeys, Dillen, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Stirbois

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Bébear, Bourlanges, Camisón Asensio, Cesaro, Cornillet, Daul, Deprez, Descamps, De Veyrac, Fernández Martín, Ferrer, Fourtou, Galeote Quecedo, Grosch, Grossetête, Hermange, Hernández Mollar, Herranz García, Lamassoure, Martin Hugues, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pérez Álvarez, Redondo Jiménez, Sacrédeus, Salafranca Sánchez-Neyra, Schaffner, Sudre, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Wijkman, Zabell

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 165

EDD: Abitbol, Mathieu

NI: Berthu, Beysen, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Berend, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Wednesday 21 April 2004

Abstention: 10**EDD:** Bernié, Butel, Esclopé, Saint-Josse**GUE/NGL:** Bordes, Cauquil**NI:** Bonino, Borghezio, Garaud**UEN:** Camre**48. Sterckx report A5-0257/2004****Amendment 9, 2nd part****For: 220****EDD:** Belder, Blokland, van Dam**ELDR:** Monsonís Domingo, Vallvé**GUE/NGL:** Blak, Brie, Caudron, Fraisse, Markov, Meijer, Sylla**NI:** Borghezio, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer**PPE-DE:** Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Deprez, Fernández Martín, Galeote Quecedo, Garriga Polledo, Gil-Robles Gil-Delgado, Grosch, Hernández Mollar, Herranz García, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pérez Álvarez, Redondo Jiménez, Salafranca Sánchez-Neyra, Thyssen, Vila Abelló, Wieland, Wijkman, Zabell**PSE:** Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 231****EDD:** Abitbol, Bernié, Bonde, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis**GUE/NGL:** Eriksson, Frahm, Schmid Herman, Seppänen, Sjöstedt**NI:** Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Lang, Souchet, Stirbois, Varaut

Wednesday 21 April 2004

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Bartolozzi, Bastos, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klač, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Pastorelli, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Xarchakos, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 30

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Cossutta, Di Lello Finuoli, Fiebigler, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schröder Ilka, Uca, Vachetta

NI: de La Perriere

UEN: Camre

49. Sterckx report A5-0257/2004

Amendment 3

For: 196

EDD: Abitbol, Bernié, Bonde, Butel, Esclopé, Saint-Josse, Sandbæk

ELDR: André-Léonard, van den Bos, Davies, Dybkjær, Jensen, Maaten, Malmström, Monsonís Domingo, Plooi-van Gorsel, Procacci, Rousseaux, Rutelli, Thors, Vallvé

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Seppänen, Uca, Vachetta

NI: Claeys, Dillen, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Lang, de La Perriere, Souchet, Stirbois, Varaut

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, Bourlanges, Camisón Asensio, Cardoso, Coelho, Cornillet, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Ferber, Fernández Martín, Ferri, Florenz, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Grönfeldt Bergman, Grosch, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jeggle, Kaldí, Langenhagen, Martin Hugues, Méndez de Vigo, Menrad, Naranjo Escobar, Ojeda Sanz, Quisthoudt-Rowohl, Redondo Jiménez, Salafranca Sánchez-Neyra, Scallon, Schaffner, Schmitt, Smet, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wijkman, Zabell

PSE: Aparicio Sánchez, Baltas, Campos, Carlotti, Carnero González, Cerdeira Morterero, Díez González, Garot, van Hulten, Izquierdo Rojo, Karamanou, Koukiadis, Kreissl-Dörfler, Lund, Malliori, Martínez Martínez, Mastorakis, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Paasilinna, Pérez Royo, Poignant, Prets, Sauquillo Pérez del Arco, Savary, Scheele, Soares, Soriano Gil, Sousa Pinto, Swoboda, Terrón i Cusí, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Zimeray, Zrihen

Wednesday 21 April 2004

UEN: Mussa, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wyn

Against: 277

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, Attwooll, Busk, Calò, Costa Paolo, De Clercq, Di Pietro, Duff, Ludford, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Van Hecke, Vermeer

GUE/NGL: Blak, Cossutta, Eriksson, Fiebig, Schröder Ilka, Sylla

NI: Beysen

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Bartolozzi, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cederschiöld, Cesaro, Chichester, Corrie, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Ferrer, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Jarzembowski, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Schierhuber, Schleicher, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Villiers, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, van den Burg, Casaca, Cashman, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Jöns, Junker, Katiforis, Keßler, Kindermann, Kinnock, Krehl, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Marinho, Martin David W., Medina Ortega, Miller, Moraes, Morgan, Napoletano, Napolitano, O'Toole, Paciotti, Patrie, Piecyk, Pittella, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Theorin, Titley, Torres Marques, Tsatsos, Vattimo, Watts, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro

Abstention: 14

ELDR: Clegg, Huhne, Manders, Wallis

GUE/NGL: Frahm, Korakas, Patakis

NI: Borghezio, Ilgenfritz, Kronberger, Martin Hans-Peter, Raschhofer

UEN: Camre

Verts/ALE: Wuori

Wednesday 21 April 2004

50. Sterckx report A5-0257/2004

Amendment 16

For: 146

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

ELDR: Thors, Vallvé

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perrière, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Dell'Utri, Fernández Martín, Ferrer, Galeote Quecedo, García-Orcóyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Hernández Mollar, Herranz García, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pérez Álvarez, Redondo Jiménez, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell

PSE: Dhaene, El Khadraoui, Lund, Marinho, Mendiluce Pereiro, Paasilinna, Pérez Royo, Thorning-Schmidt, Vairinhos, Van Lancker

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Hyland, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 335

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Van Hecke, Vermeer, Wallis

NI: Beysen

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Bastos, Bébéar, Berend, Böge, von Boetticher, Boursanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Ferber, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, Gargani, Gawronski, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Pastorelli, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels,

Wednesday 21 April 2004

Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

Abstention: 1

UEN: Marchiani

51. Sterckx report A5-0257/2004**Amendment 14****For: 232**

ELDR: Monsonís Domingo, Vallvé

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Fiebigler, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Schröder Ilka, Sylla, Uca

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Martin Hans-Peter, Raschhofer

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Fernández Martín, Ferrer, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Hernández Mollar, Herranz García, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Redondo Jiménez, Sacrédeus, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 236

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

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis

Wednesday 21 April 2004

GUE/NGL: Blak, Eriksson, Frahm, Patakis, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Beysen, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Bastos, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Gawronski, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 13

GUE/NGL: Bordes, Cauquil, Krivine, Vachetta

NI: Borghezio, Claeys, Dillen, Garaud, de Gaulle, Lang, de La Perriere, Stirbois

UEN: Camre

52. Sterckx report A5-0257/2004

Amendment 4

For: 269

EDD: Abitbol, Bernié, Bonde, Butel, Esclopé, Saint-Josse, Sandbæk

ELDR: Monsonís Domingo, Vallvé

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Lang, de La Perriere, Stirbois, Varaut

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Fernández Martín, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Hernández Mollar, Herranz García, Naranjo Escobar, Ojeda Sanz, Pastorelli, Pérez Álvarez, Redondo Jiménez, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna,

Wednesday 21 April 2004

Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 207

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis

NI: Beysen, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Bastos, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Gawronski, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

Verts/ALE: Gahrton

Abstention: 3

ELDR: Dybkjær

NI: Berthu, Souchet

53. Sterckx report A5-0257/2004

Paragraph 39

For: 262

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

ELDR: Andreasen, André-Léonard, Attwooll, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Plooi-j-van Gorsel, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Vallvé, Wallis

Wednesday 21 April 2004

GUE/NGL: Ainardi, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla

NI: Gorostiaga Atxalandabaso

PPE-DE: Boursanges, Cornillet, Daul, Deprez, Descamps, De Veyrac, Fourtou, Grosch, Grossetête, Hermange, Lulling, McCartin, Martin Hugues, Montfort, Morillon, Ojeda Sanz, Pastorelli, Pérez Álvarez, Schaffner, Smet, Stockton, Sudre, Thyssen, de Veyrinas, Vila Abelló, Vlasto, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Evans Robert J.E., Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Keßler, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Morgan, Myller, Napoletano, O'Toole, Paciotti, Pérez Royo, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zrihen

UEN: Andrews, Camre, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 180

EDD: Abitbol, Mathieu

ELDR: Busk, Pesälä, Pohjamo, Procacci, Thors, Van Hecke

NI: Berthu, Beysen, Borghezio, Garaud, Ilgenfritz, de La Perriere, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deva, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Hieronymi, Inglewood, Jackson, Jarzembowski, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Liese, Lisi, Maat, McMillan-Scott, Mann Thomas, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Mombaur, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Gröner, Hänsch, Moraes, Napolitano, Paasilinna, Zorba

UEN: Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Thomas-Mauro

Wednesday 21 April 2004

Abstention: 7**GUE/NGL:** Krivine, Patakis, Vachetta**NI:** Claeys, Dillen, de Gaulle, Stirbois**54. Sterckx report A5-0257/2004****Amendment 5****For: 265****EDD:** Abitbol, Bernié, Butel, Esclopé, Saint-Josse**ELDR:** Monsonís Domingo, Plooi-j-van Gorsel, Thors, Vallvé**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta**NI:** Berthu, Garaud, Gorostiaga Atxalandabaso, de La Perriere, Souchet, Varaut**PPE-DE:** Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Fernández Martín, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Hernández Mollar, Herranz García, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Redondo Jiménez, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell**PSE:** Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Andrews, Angelilli, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 203****EDD:** Belder, Blokland, van Dam, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Van Hecke, Vermeer, Wallis**NI:** Beysen, Ilgenfritz, Kronberger, Raschhofer

Wednesday 21 April 2004

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Bastos, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Gahler, García-Margallo y Marfil, Gargani, Gawronski, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzemowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

Abstention: 10

EDD: Bonde, Sandbæk

ELDR: Dybkjær

NI: Borghezio, Claeys, Dillen, de Gaulle, Lang, Martin Hans-Peter, Stirbois

55. Sterckx report A5-0257/2004

Amendment 18

For: 252

EDD: Abitbol, Bernié, Bonde, Butel, Esclopé, Saint-Josse, Sandbæk

ELDR: Monsonís Domingo

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Borghezio, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer, Souchet

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, De Veyrac, Fernández Martín, Ferrer, Galeote Quecedo, García-Orcóyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Hernández Mollar, Herranz García, Lamassoure, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Redondo Jiménez, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 21 April 2004

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 212

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreassen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

NI: Beysen, Garaud

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Bastos, Bébéar, Berend, Böge, von Boetticher, Boursanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klab, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lehne, Liese, Lisi, Lulling, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oostlander, Pack, Parish, Perry, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 11

ELDR: Dybkjær

GUE/NGL: Bordes, Cauquil

NI: Claeys, Dillen, de Gaulle, Lang, de La Perrière, Stirbois, Varaut

UEN: Camre

56. Sterckx report A5-0257/2004

Amendment 13

For: 272

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

ELDR: Monsonís Domingo, Thors, Vallvé

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Borghezio, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer, Souchet

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Fernández Martín, Ferrer, Galeote Quecedo, García-Orcóyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Hernández Mollar, Herranz García, Lamassoure, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Redondo Jiménez, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell

Wednesday 21 April 2004

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 195

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Van Hecke, Vermeer, Wallis

NI: Beysen

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Bartolozzi, Bastos, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Theorin

Abstention: 9

ELDR: Dybkjær

NI: Claeys, Dillen, de Gaulle, Lang, de La Perrière, Martin Hans-Peter, Stirbois, Varaut

Wednesday 21 April 2004

57. Sterckx report A5-0257/2004**Amendment 19****For: 271****EDD:** Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Claeys, Dillen, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Stirbois

PPE-DE: Bourlanges, Deprez, Ferrer, Harbour, Sacrédeus, Wijkman, Xarchakos

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 197

EDD: Abitbol, Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Saint-Josse

ELDR: Nordmann, Thors

NI: Beysen

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pirker, Píscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan,

Wednesday 21 April 2004

Redondo Jiménez, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wüermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 7

NI: Berthu, Borghezio, Garaud, Martin Hans-Peter, Souchet, Varaut

UEN: Camre

58. Sterckx report A5-0257/2004

Amendment 1, 1st part

For: 201

EDD: Mathieu

NI: Berthu, Beysen, Borghezio, Garaud, Ilgenfritz, Kronberger, de La Perrière, Raschhofer, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Boursanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wüermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Ford, Goebbels, Marinho, Swiebel

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Schroedter

Against: 254

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

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, De Clercq, Di Pietro, Duff, Hühne, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta

Wednesday 21 April 2004

NI: Gorostiaga Atxalandabaso**PPE-DE:** Ferrer, Florenz, Jackson, Schnellhardt

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Onesta, de Roo, Rühle, Schörling, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 14**ELDR:** Dybkjær, Vallvé**NI:** Claeys, Dillen, de Gaulle, Lang, Stirbois**PPE-DE:** Grosch, Smet, Thyssen**UEN:** Camre**Verts/ALE:** Isler Béguin, Morera Català, Nogueira Román**59. Sterckx report A5-0257/2004****Amendment 1, 2nd part****For: 197****EDD:** Bernié, Butel, Esclopé, Mathieu, Saint-Josse**ELDR:** Clegg, Nordmann**NI:** Berthu, Beysen, Garaud, Ilgenfritz, Kronberger, de La Perriere, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Balfe, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 21 April 2004

PSE: Ford, Pérez Royo, Stockmann

UEN: Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Against: 261

EDD: Abitbol, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Borghezio, Gorostiaga Atxalandabaso

PPE-DE: Ayuso González, Bartolozzi, Bébéar, Cornillet, Deprez, Ferrer, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Martin Hugues, Sturdy

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnoek, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Souladakis, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Turmes, Voggenhuber, Wuori, Wynn

Abstention: 14

ELDR: Dybkjær, Vallvé

NI: Claeys, Dillen, de Gaulle, Lang, Martin Hans-Peter, Stirbois

PPE-DE: Grosch, Smet, Thyssen

UEN: Camre

Verts/ALE: Morera Català, Nogueira Román

Wednesday 21 April 2004

60. Sterckx report A5-0257/2004**Paragraph 50, 1st part****For: 257****EDD:** Abitbol, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Clegg, Costa Paolo, Nordmann**GUE/NGL:** Alyssandrakis, Blak, Boudjenah, Caudron, Cossutta, Eriksson, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Schmid Herman, Seppänen, Sjöstedt**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Souchet, Stirbois, Varaut**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Descamps, Deva, De Veyrac, Doorn, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Parish, Pastorelli, Pérez Álvarez, Perry, Pirker, Píscarreta, Podestà, Poettering, Posselt, Purvis, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wieland, Xarchakos, Zabell, Zacharakis, Zappalà**PSE:** Aparicio Sánchez, Cerdeira Morterero, Junker, Karamanou, Katiforis, Lage, Lund, Napolitano, Paciotti, Patrie, Poignant, Rothley, Savary, Tsatsos, Van Lancker, Vattimo, Wiersma**UEN:** Andrews, Angelilli, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Aaltonen, Ahern, Breyer, Buitenweg, Echerer, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Jonckheer, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Onesta, Rühle, Schroedter, Sörensen, Turmes, Voggenhuber, Wyn**Against: 201****EDD:** Butel, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Davies, De Clercq, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Wallis**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Cauquil, Di Lello Finuoli, Fiebigler, Figueiredo, Fraisse, Jové Peres, Kaufmann, Patakis, Puerta, Ribeiro, Schröder Ilka, Sylla, Uca, Vachetta**NI:** Gorostiaga Atxalandabaso**PPE-DE:** Avilés Perea, von Boetticher, Chichester, Deprez, Flemming, Florenz, Glase, Langen, Langenhagen, Musotto, Pack, Pex, Quisthoudt-Rowohl, Schleicher, Sturdy, Wenzel-Perillo, Wijkman, Wuermeling, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado,

Wednesday 21 April 2004

Izquierdo Rojo, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poos, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Volcic, Watts, Weiler, Whitehead, Wynn, Zorba, Zrihen

Verts/ALE: Boumediene-Thiery, Duthu, Evans Jillian, Flautre, Lagendijk, Morera Català, Nogueira Román, Rod, de Roo, Staes, Wuori

Abstention: 6

ELDR: Dybkjær

NI: de Gaulle, Martin Hans-Peter

PSE: Prets, Stockmann

UEN: Camre

61. Sterckx report A5-0257/2004

Paragraph 50, 2nd part

For: 82

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

GUE/NGL: Alyssandrakis, Blak, Caudron, Eriksson, Frahm, Korakas, Manisco, Modrow, Näir, Seppänen

NI: Claeys, Dillen, de Gaulle, Ilgenfritz, Kronberger, Lang, de La Perriere, Stirbois, Varaut

PPE-DE: Averoff, Ayuso González, Chichester, Ferrer, Jeggle, Kaldí, Konrad, Korhola, McCartin, Montfort, Oostlander, Pastorelli, Piscarreta, Xarchakos, Zabell

PSE: Dehousse, Goebbels, Junker, Lage, Lund, Patrie, Poignant, Savary, Tsatsos, Vattimo, Wiersma

UEN: Marchiani, Muscardini, Queiró

Verts/ALE: Aaltonen, Ahern, Breyer, Buitenweg, Echerer, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 370

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Costa Paolo, Davies, De Clercq, Duff, Jensen, Ludford, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Fiebigler, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Krivine, Laguiller, Markov, Meijer, Papayannakis, Patakis, Puerta, Ribeiro, Schröder Ilka, Sylla, Uca, Vachetta

NI: Berthu, Beysen, Gorostiaga Atxalandabaso, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka,

Wednesday 21 April 2004

Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klaß, Knolle, Koch, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Liese, Lisi, Maat, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Watts, Weiler, Whitehead, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Collins, Crowley, Mussa, Musumeci, Ó Neachtain, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Boumediene-Thiery, Duthu, Evans Jillian, Flautre, Isler Béguin, McKenna, Morera Català, Nogueira Román, de Roo, Schörling, Wuori

Abstention: 6

ELDR: Dybkjær

NI: Garaud

PSE: Volcic

UEN: Camre, Hyland

Verts/ALE: Rod

62. Sterckx report A5-0257/2004

Amendment 2

For: 236

EDD: Abitbol, Butel, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Clegg, Costa Paolo, Davies, De Clercq, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis

GUE/NGL: Koulourianos

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

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Balfé, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Cornillet, Corrie, Cushnahan, Daul, Dell'Utri, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner,

Wednesday 21 April 2004

Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Moraes, Paasilinna, Tsatsos

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Maes

Against: 98

EDD: Belder, Blokland, van Dam, Sandbæk

ELDR: Monsonís Domingo, Vallvé

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Borghezio, Gorostiaga Atxalandabaso

PPE-DE: Böge, Ferrer

PSE: Aparicio Sánchez, Berenguer Fuster, Carnero González, Cerdeira Morterero, Dührkop Dührkop, Gröner, Lund, Medina Ortega, Mendiluce Pereiro, Miguélez Ramos, Napolitano, Pérez Royo, Sauquillo Pérez del Arco, Swiebel, Terrón i Cusí, Vairinhos

UEN: Marchiani, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 124

EDD: Bernié, Saint-Josse

ELDR: Dybkjær

GUE/NGL: Alyssandrakis, Korakas, Patakis, Puerta

NI: Claeys, Dillen, Garaud, de Gaulle, Lang, Martin Hans-Peter, Stirbois

PPE-DE: Deprez, Grosch, Smet

PSE: Adam, Aguiriano Nalda, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Casaca, Cashman, Dehousse, De Keyser, Dhaene, Díez González, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Lage,

Wednesday 21 April 2004

Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Menéndez del Valle, Miller, Miranda de Lage, Morgan, Müller, Myller, Napoletano, O'Toole, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Savary, Scheele, Schulz, Simpson, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swoboda, Theorin, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

63. Sterckx report A5-0257/2004

Amendment 21

For: 152

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

ELDR: Monsonís Domingo, Plooi-van Gorsel, Thors, Vallvé

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjøstedt, Uca, Vachetta

NI: Berthu, Claeys, Dillen, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Bébéar, Bourlanges, Camisón Asensio, Cornillet, Daul, Descamps, De Veyrac, Dimitrakopoulos, Fernández Martín, Ferrer, Fourtou, Galeote Quecedo, Garriga Polledo, Gil-Robles Gil-Delgado, Grosch, Grossetête, Hermange, Hernández Mollar, Herranz García, Lamassoure, Lulling, Martin Hugues, Montfort, Morillon, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Redondo Jiménez, Sacrédeus, Salafranca Sánchez-Neyra, Schaffner, Schierhuber, Smet, Sudre, Thyssen, Varela Suanzes-Carpegna, de Veyrinas, Vila Abelló, Vlasto, Zabell

PSE: Dhaene, El Khadraoui, van Hulten, Lund, Mendiluce Pereiro, Myller, Paasilinna, Vairinhos, Van Lancker

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 314

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Clegg, Costa Paolo, Davies, De Clercq, Duff, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Vermeer, Wallis

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Beysen, Borghezio, Garaud

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Balfe, Bartolozzi, Bastos, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deprez, Deva, Doorn, Dover, Ebner, Elles, Ferber, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klawns, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lehne, Liese, Lisi, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Santer, Santini, Sartori, Scallon,

Wednesday 21 April 2004

Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, van Velzen, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, Evans Robert J.E., Fava, Ford, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Napolitano, Napolitano, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Collins, Crowley, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 3

ELDR: Dybkjær

NI: Martin Hans-Peter

UEN: Camre

64. Sterckx report A5-0257/2004

Recital K

For: 434

EDD: Abitbol, Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Huhne, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perrière, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Balfe, Bartolozzi, Bastos, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Callanan, Cardoso, Cederschiöld, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, Gargani, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Heaton-Harris, Helmer, Inglewood, Jackson, Jarzembowski, Jeggle, Kaldí, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lehne, Liese, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Nicholson, Nisticò, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck,

Wednesday 21 April 2004

Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Camre, Collins, Crowley, Marchiani, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Nogueira Román, Onesta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 24

GUE/NGL: Chountis

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Camisón Asensio, Fernández Martín, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Hermange, Hernández Mollar, Herranz García, Lisi, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Salafranca Sánchez-Neyra, Varela Suanzes-Carpegna, Vila Abelló, Zabell

PSE: Marinho

UEN: Muscardini

Abstention: 5

EDD: Bernié, Butel, Esclopé, Saint-Josse

PSE: Adam

65. Sterckx report A5-0257/2004

Resolution

For: 396

EDD: Abitbol, Belder, Blokland, Bonde, Butel, van Dam, Esclopé, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Costa Paolo, De Clercq, Duff, Dybkjær, Huhne, Jensen, Ludford, Maaten, Malmström, Manders, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Sanders-ten Holte, Schmidt, Sørensen, Thors, Vallvé, Vermeer, Wallis

GUE/NGL: Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta

Wednesday 21 April 2004

NI: Beysen, Borghezio, Claeys, Dillen, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fournou, Friedrich, Galeote Quecedo, García-Margallo y Marfil, García-Orcóy Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Jeggle, Kaldí, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Korhola, Lamassoure, Langen, Langenhagen, Lisi, Lulling, Maat, McCartin, Mann Thomas, Martens, Martin Hugues, Matikainen-Kallström, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Zabell, Zacharakis, Zappalà, Zimmerling

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lange, Leinen, Lund, McNally, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sormosa Martínez, Souladakis, Stihler, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Collins, Crowley, Muscardini, Mussa, Musumeci, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Maes, Mayol i Raynal, Morera Català, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 24

ELDR: Di Pietro

PPE-DE: Balfe, Bradbourn, Callanan, Chichester, Corrie, Deva, Dover, Elles, Foster, Goodwill, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Perry, Stevenson, Tannock, Twinn, Van Orden, Villiers

Abstention: 13

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Berthu, Garaud, de Gaulle, Lang, de La Perrière, Martin Hans-Peter, Souchet, Stirbois

PPE-DE: Purvis, Rovsing

Wednesday 21 April 2004

TEXTS ADOPTED**P5_TA(2004)0310****Common rules for carriage of goods by road ***I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the establishment of common rules for certain types of carriage of goods by road (codified version) (COM(2004) 47 – C5-0055/2004 – 2004/0017(COD))

(Codecision procedure)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 47) ⁽¹⁾,
 - having regard to Articles 251(2) and 71(1) of the EC Treaty, pursuant to which the Commission submitted its proposal to Parliament (C5-0055/2004),
 - 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 (A5-0250/2004),
1. Approves the Commission proposal;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TA(2004)0311**Quality of fresh water needed for fish ***I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the quality of fresh waters needing protection or improvement in order to support fish life (codified version) (COM(2004) 19 – C5-0038/2004 – 2004/0002(COD))

(Codecision procedure)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 19) ⁽¹⁾,
- having regard to Articles 251(2) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0038/2004),
- 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 (A5-0252/2004),

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

1. Approves the Commission proposal;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.
-

P5_TA(2004)0312

UNECE specifications for motor fuels ***

European Parliament legislative resolution on the proposal for a Council Decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on the adoption of uniform technical prescriptions concerning the burning behaviour of materials used in the interior construction of certain categories of motor vehicles (COM(2003) 630 – 5049/2004 – C5-0106/2004 – 2003/0247(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council Decision (COM(2003) 630 – 5049/2004) ⁽¹⁾,
 - having regard to Council Decision 97/836/EC of 27 November 1997 ⁽²⁾,
 - having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, of the EC Treaty (C5-0106/2004),
 - having regard to Rules 86, 97(7) and 158(1) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Industry, External Trade, Research and Energy (A5-0238/2004),
1. Gives its assent to the proposal for a Council decision;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ OJ L 346, 17.12.1997, p. 78.

Wednesday 21 April 2004

P5_TA(2004)0313

UNECE regulation to protect motor vehicles against unauthorised use ***

European Parliament legislative resolution on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use (COM(2003) 632 – 5048/2004 – C5-0105/2004 – 2003/0248(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2003) 632 – 5048/2004) ⁽¹⁾,
 - having regard to Council Decision 97/836/EC of 27 November 1997 ⁽²⁾,
 - having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, of the EC Treaty (C5-0105/2004),
 - having regard to Rules 86, 97(7) and 158(1) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Industry, External Trade, Research and Energy (A5-0240/2004),
1. Gives its assent to the proposal for a Council decision;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ OJ L 346, 17.12.1997, p. 78.

P5_TA(2004)0314

UNECE regulation on tyre rolling noise ***

European Parliament legislative resolution on the proposal for a Council decision on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on the adoption of uniform prescriptions for the type approval of tyres with respect to tyre rolling noise (COM(2003) 635 – 5047/2004 – C5-0107/2004 – 2003/0254(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2003) 635 – 5047/2004) ⁽¹⁾,
- having regard to Council Decision 97/836/EC of 27 November 1997 ⁽²⁾,
- having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, of the EC Treaty (C5-0107/2004),
- having regard to Rules 86, 97(7) and 158(1) of its Rules of Procedure,
- having regard to the recommendation of the Committee on Industry, External Trade, Research and Energy (A5-0239/2004),

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ OJ L 346, 17.12.1997, p. 78.

Wednesday 21 April 2004

1. Gives its assent to the proposal for a Council decision;
 2. Instructs its President to forward its position to the Council and Commission.
-

P5_TA(2004)0315

Re-exportation and re-dispatch of products covered by the specific supply arrangements *

European Parliament legislative resolution on the proposal for a Council regulation amending Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards the conditions for the re-exportation and re-dispatch of products covered by the specific supply arrangements (COM(2004) 155 – C5-0129/2004 – 2004/0051(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 155) ⁽¹⁾,
 - having regard to Articles 36, 37(2) and 299(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0129/2004),
 - 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 (A5-0231/2004),
1. Approves the Commission proposal;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 4. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TA(2004)0316

Interest and royalty payments made between associated companies of different Member States *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 2003/49/EC as regards the possibility for certain Member States to apply transitional periods for the application of a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States (COM(2004) 243 – C5-0187/2004 – 2004/0076(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 243) ⁽¹⁾,
- having regard to Article 94 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0187/2004),

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

- having regard to Rules 67 and 158(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0276/2004),
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 Commission.
-

P5_TA(2004)0317**Community participation in the European Audiovisual Observatory ***I**

European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory (COM(2003) 763 – C5-0622/2003 – 2003/0293(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 763) ⁽¹⁾,
 - having regard to Articles 251(2) and 157(3) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0622/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport and the opinion of the Committee on Budgets (A5-0241/2004),
1. Approves the Commission proposal as amended;
 2. Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 3 of the Financial Perspective without restricting other policies;
 3. 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;
 4. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

P5_TC1-COD(2003)0293

Position of the European Parliament adopted at first reading on 21 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 157(3) 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) In Decision 1999/784/EC⁽⁵⁾ the Council decided that the Community should become a member of the European Audiovisual Observatory (hereinafter 'the Observatory') in order to support the latter's activity. The Observatory contributes to strengthening the competitiveness of the Community's audio-visual industry by improving the transfer of information to the industry, in particular to small and medium-sized enterprises, and promoting a clearer view of the market.'
- (2) *Multimedia and the new technologies will play an ever greater role in the audiovisual sector. The Observatory could continue to play its important role if its capacity to follow these new developments were strengthened in due course.*
- (3) *Although free movement of persons, goods and services is enshrined in the Treaty, the lack of information on the many differences in national regulations in the fields of fiscal and labour law acts as an obstacle to the free movement of audiovisual goods and services. The Observatory could offer a positive contribution by collecting and providing expertise and systematic information in the fields of fiscal and labour law, copyright and consumer protection law.*
- (4) *Further to the European Parliament's resolution of 4 September 2003 on Television without frontiers⁽⁶⁾, which called for an annual benchmarking report on making digital TV accessible for people with disabilities, the Observatory should be invited to collect data on an annual basis on the levels of television services provided in all Member States of the European Union or of the Council of Europe to assist disabled people, such as subtitling, audio description and sign language.*
- (5) The Community participation in the Observatory has proven effective in supporting the latter's activity.
- (6) It is appropriate to continue such participation during the period necessary for the Observatory to adopt guidelines for its future activity, from 2006 onwards.
- (7) Decision 1999/784/EC should therefore be amended accordingly,

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ OJ C ...

⁽⁴⁾ Position of the European Parliament of 21 April 2004.

⁽⁵⁾ OJ L 307, 2.12.1999, p. 61.

⁽⁶⁾ OJ C...

Wednesday 21 April 2004

HAVE DECIDED AS FOLLOWS:

Sole Article

Article 5 of Decision 1999/784/EC is replaced by the following:

'Article 5

This decision shall apply until the last day of the last month of the seventh year following the year of its adoption.'

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

P5_TA(2004)0318

WHO Framework Convention on Tobacco Control *

European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion of the World Health Organisation Framework Convention on Tobacco Control (COM(2003) 807 – C5-0028/2004 – 2003/0316(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2003) 807) ⁽¹⁾,
- having regard to the World Health Organisation Framework Convention on Tobacco Control,
- having regard to Articles 95, 133 and 152, in conjunction with the first sentence of the first subparagraph of Article 300(2) of the EC Treaty,
- having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0028/2004),
- having regard to Rules 67 and 97(7) of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinions of the Committee on Industry, External Trade, Research and Energy and the Committee on Legal Affairs and the Internal Market (A5-0226/2004),

1. Approves conclusion of the Convention;
2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the secretariat of the WHO Framework Convention on Tobacco Control, with the request that it be circulated to all non-EU contracting parties.

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

P5_TA(2004)0319

Fruit jams, jellies and marmalades *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption (COM(2004) 151 – C5-0128/2004 – 2004/0052(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 151) ⁽¹⁾,
- having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0128/2004),
- 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 (A5-0251/2004),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

RECITAL 3

(3) In certain local markets in Austria, the term 'Marmelade' has also traditionally been used for the product name 'jam'; in such cases, the **term** 'Marmelade aus Zitrusfrüchten' is used for the term 'marmalade' in order to distinguish the two product categories.

(3) In certain local markets in Austria **and Germany**, the term 'Marmelade' has also traditionally been used for the product name 'jam'; in such cases, the **terms** 'Marmelade aus Zitrusfrüchten', '**Orangenmarmelade**' and '**Zitronenmarmelade**' **are** used for the term 'marmalade' in order to distinguish the two product categories.

Amendment 2

RECITAL 4

(4) It is therefore appropriate that Austria should take into account these traditions when adopting the necessary measures to comply with the Directive,

(4) It is therefore appropriate that Austria **and Germany** should take into account these traditions when adopting the necessary measures to comply with the Directive,

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 3

ANNEX

Annex I, Footnote 2 (Directive 2001/113/EC)

In Österreich kann für den Verkauf an den Endverbraucher auf bestimmten lokalen Märkten auch die Bezeichnung 'Marmelade' verwendet werden.

In Österreich **und Deutschland** kann für den Verkauf an den Endverbraucher auf bestimmten lokalen Märkten auch die Bezeichnung 'Marmelade' verwendet werden.

Amendment 4

ANNEX

Annex I, Footnote 3 (Directive 2001/113/EC)

In Österreich kann für den Verkauf an den Endverbraucher auf bestimmten lokalen Märkten auch die Bezeichnung 'Marmelade aus Zitrusfrüchten' verwendet werden.

In Österreich **und Deutschland** kann für den Verkauf an den Endverbraucher auf bestimmten lokalen Märkten auch die Bezeichnung 'Marmelade aus Zitrusfrüchten', '**Orangenmarmelade**' und '**Zitronenmarmelade**' verwendet werden.

P5_TA(2004)0320

Discharge 2002: European Agency for Reconstruction

1.

European Parliament decision on the discharge to the Director of the European Agency for Reconstruction for the financial year 2002 (C5-0632/2003 – 2003/2242(DEC))*The European Parliament,*

- having regard to the Court of Auditors' report on the financial statements of the European Agency for Reconstruction for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0632/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0149/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1646/2003 of 18 June 2003 amending Regulation (EC) No 2667/2000 on the European Agency for Reconstruction ⁽³⁾ and in particular Article 8 thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0212/2004),

1. Gives discharge to the Director of the European Agency for Reconstruction, in respect of the implementation of its budget for the financial year 2002;

2. Records its comments in the accompanying resolution;

⁽¹⁾ OJ C 319, 30.12.2003, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 16.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Agency for Reconstruction, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Agency for Reconstruction in respect of the implementation of its budget for the financial year 2002 (C5-0632/2003 – 2003/2242(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Agency for Reconstruction for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0632/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0149/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1646/2003 of 18 June 2003 amending Regulation (EC) No 2667/2000 on the European Agency for Reconstruction and in particular Article 8 thereof ⁽³⁾,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular,
- B. whereas on 8 April 2003 Parliament gave discharge ⁽⁵⁾ to the Director of the Agency in respect of the implementation of its budget for the 2001 financial year, on the basis of the report of the ECA, and in so doing Parliament in its resolution *inter alia*:
- insisted that the Agency, in line with previous observations of the ECA on financial statements and accounts, take all necessary steps to avoid the risk of errors occurring as a result of using spreadsheets for the purpose of keeping its accounts;
 - called on the Commission to report back to Parliament on the results of an administrative investigation into possible liability for mismanagement, as well as on measures taken were any disciplinary measures to have been deemed appropriate,
 - invited the Agency, with the aim of securing the protection of the financial interests of the Community, to ensure the systematic monitoring of all projects in the energy sector financed by EU funds; to take all relevant measures, in cooperation with UNMIK, the Kosovo Power Corporation (KEK) and the external supervisory contractors, with a view to achieving the long-term sustainability of investment in the energy sector; and to establish an overall plan for monitoring projects financed and evaluating their consistency with EU policy in the region,

⁽¹⁾ OJ C 319, 30.12.2003, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 16.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

⁽⁵⁾ OJ L 148, 16.6.2003, pp. 95 and 96.

Wednesday 21 April 2004

1. Notes the following figures for the accounts of the European Agency for Reconstruction for the financial years 2002 and 2001:

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue		
Commission subsidies ⁽¹⁾	462 804	517 633
Financial revenue	5 978	2 915
Miscellaneous revenue	495	135
Counterpart funds	497	5 787
Earmarked revenue	500	0
Total revenue (a)	470 274	526 469
Expenditure		
<i>Staff — Title I of the budget</i>		
Payments	17 771	13 418
Appropriations carried over	206	337
<i>Administration — Title II of the budget</i>		
Payments	6 211	5 908
Appropriations carried over	2 037	1 217
<i>Operating activities — Title III of the budget</i>		
Payments	138 512	327 345
Appropriations carried over	293 106	176 863
Total expenditure (b)	457 844	525 088
Outturn for the financial year (a – b) ⁽²⁾	12 430	1 382
Balance carried over from the previous financial year	– 73 127	– 35 768
Payments on the Commission's behalf	– 25 407	– 70 050
2001 payment appropriations which lapse (Title III)	0	31 061
2001 appropriations carried over which lapse (Titles I and II)	135	254
Cancellations of 2001 appropriations carried over	5 463	0
Carry-overs of further 2001 appropriations	– 32 423	0
Exchange-rate differences	22	– 5
Balance for the financial year	– 112 908	– 73 127
NB: Any discrepancies in totals are due to the effects of rounding. Source: Agency data		

⁽¹⁾ Includes payments made by the Commission for the Agency to make payments on its behalf.

⁽²⁾ Calculated according to the principles laid down in Article 15 of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 (OJ L 130, 31.5.2000, p. 8).

Implementation of the budget

2. Notes the ECA recommendation that forecasts for administrative expenditure (Title II) should be given careful attention so as to ensure that carry-overs and appropriations which lapse do not account for too great a part of the total administrative budget; expects the Agency, in line with the principle of budget accuracy, to take the necessary steps to comply with that recommendation;

Wednesday 21 April 2004

Financial statements

3. Welcomes the fact that the Agency gave a positive follow-up to previous ECA observations, making progress in strengthening its internal control system by the introduction of the SI2 accounting system;
4. Invites the Agency rapidly to give an equally positive follow-up to the ECA's and the Parliament's suggestion to introduce a reliable general accounting tool in all its centres and abandon the use of spreadsheets for its general accounts;
5. Expects the Agency to promptly respond to the ECA invitation to clarify the status of funds made available to specialised bodies for the financing of loan programmes in specific fields and to adopt appropriate solutions as regards the way in which these funds should be recorded in the Agency's financial statements;
6. Expresses its deep concern over the ECA's findings that a bank account had been opened in the Agency's name of whose existence the accounting officer had not been advised; notes the explanation provided by the Director of the Agency with regard to this matter; takes the view that in a complex decentralised environment, such as the one in which the Agency operates, matters relating to transactions with banks should be handled with the utmost care and transparency;
7. Notes the measures that the Agency has taken, stated in its replies to the questionnaire, to avoid such a situation occurring again; invites the Agency to improve coordination between its accounting officer and the delegated accountants in the operational centres; also invites the Agency and the Commission to improve coordination between the Agency's accounting officer and the Commission's accounting Directorate;
8. Invites the Commission's Internal Audit Service to look into this matter to identify potential systemic failures and make the necessary recommendations for remedying such problems;

Legality and regularity of the underlying transactions

9. Shares the concern expressed by the ECA in its report about the risk of a weakening of the Agency's internal control system which might come about through the proliferation of delegations issued by the Director for the implementation of the budget; stresses that cases such as the ones identified by the ECA, where commitments and payments were signed by employees not duly authorised to do so, are unacceptable as they are in breach of the financial rules; expects the Director to provide a full explanation of the circumstances in which this was allowed to happen and, further, to indicate the measures taken or initiated to prevent such incidents from occurring again;
10. Expects the Agency to fully comply with the procedures for implementing the budget laid down in both the new Financial Regulation and the Framework Financial Regulation for the Agencies; invites the Director to give assurances that delegations will be reduced to the strict minimum, which is indispensable for the smooth running of the Agency and the implementation of its budget in accordance with sound financial management.
11. Recalls that the European Parliament requested ⁽¹⁾ the Commission to present, before June 2004, the evaluation report provided for in Article 14 of Regulation (EC) No 2667/2000 on the application of this regulation and a proposal on the status of the Agency

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

12. Reiterates the position taken in its resolutions ⁽²⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

⁽¹⁾ OJ C 272 E, 13.11.2003, p. 482.

⁽²⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

Wednesday 21 April 2004

13. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

14. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions⁽¹⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999⁽²⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

Financial Management

15. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

16. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

17. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

18. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

19. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

20. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

21. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

⁽¹⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽²⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

New sources of financing

22. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

23. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Harmonised operating framework

24. Recalls its position ⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments ⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

25. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

26. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

27. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

28. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

29. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

30. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance ⁽³⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

⁽³⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

Wednesday 21 April 2004

31. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

32. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

P5_TA(2004)0321

Discharge 2002: European Agency for Safety and Health at Work

1.

European Parliament decision on the discharge to the Director of the European Agency for Safety and Health at Work in respect of the implementation of its budget for the financial year 2002 (C5-0636/2003 – 2003/2246(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Agency for Safety and Health for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0636/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0141/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1654/2003 of 18 June 2003 amending Regulation (EC) No 2062/94 establishing a European Agency for Safety and Health at Work ⁽³⁾ and in particular article 12a thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),

1. Gives discharge to the Director of the European Agency for Safety and Health at Work, in respect of the implementation of its budget for the financial year 2002;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Agency for Safety and Health at Work, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 319, 30.12.2003, p. 8.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 38.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Agency for Safety and Health at Work in respect of the implementation of its budget for the financial year 2002 (C5-0636/2003 – 2003/2246(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Agency for Safety and Health for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0636/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0141/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1654/2003 of 18 June 2003 amending Regulation (EC) No 2062/94 establishing a European Agency for Safety and Health at Work ⁽³⁾ and in particular article 12a thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular;
- B. whereas on 6 November 2003 Parliament gave discharge ⁽⁵⁾ to the Director of the Agency in respect of the implementation of its budget for the 2001 financial year, on the basis of the report of the ECA, and in so doing Parliament in its resolution *inter alia*:
- accepted the explanation given by the Agency on the circumstances that resulted in a large amount of operating appropriations being carried over from 2001 to 2002, the main reason being the late approval of the SME accident prevention scheme that the Agency was called upon to implement;
 - noted the good overall assessment of the Agency's performance contained in the external evaluation report and took the view that consideration should be given to the Agency's position in favour of transforming the above SME scheme into a multiannual programme;
 - called on the Agency to improve the programming of its work in relation to the activities of the national focal points and noted with satisfaction the cooperation between the Agency and the Dublin Foundation;

⁽¹⁾ OJ C 319, 30.12.2003, p. 8.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 38.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

⁽⁵⁾ OJ L 333, 20.12.2003, pp. 52 and 53.

Wednesday 21 April 2004

1. Notes the following figures for the accounts of the European Agency for Safety and Health for the financial years 2002 and 2001:

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue		
Commission subsidies	12 324	9 400
Other subsidies	252	184
Miscellaneous revenue	8	0
Financial revenue	73	91
Total revenue (a)	12 657	9 676
Expenditure		
<i>Staff — Title I of the budget</i>		
Payments	3 024	2 654
Appropriations carried over	136	168
<i>Administration — Title II of the budget</i>		
Payments	1 140	846
Appropriations carried over	247	229
<i>Operating activities — Title III of the budget</i>		
Payments	2 030	1 543
Appropriations carried over	5 623	5 814
Total expenditure (b)	12 199	11 255
Outturn for the financial year (a – b) ⁽¹⁾	458	– 1 579
Balance carried over from the previous financial year	– 2 185	– 886
Appropriations carried over from the previous financial year and cancelled	609	242
Sums to be re-used carried over from the previous financial year and not used	0	9
Exchange-rate differences	4	2
Adjustment entries	7	27
Balances for the financial year	– 1 108	– 2 185
N.B: Differences in totals are due to the effects of rounding. Source: European Agency of Health and Safety at Work.		

⁽¹⁾ Calculation according to the principles of Article 15 of Council Regulation (EC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000, p. 8).

Implementation of the budget

2. Reiterates the view, expressed in its above-mentioned resolution of 6 November 2003 (point 8) accompanying the discharge for 2001, that it expects the Agency to do its utmost to improve the programming of its activities in order to reduce the large amount of carry-overs; stresses that, despite the apparent divergence of views between the ECA and the Agency as to the latter's efforts to observe the annuality principle, it nevertheless insists that further efforts should be made to reduce the amount of carry-overs through tighter programming of operational activities, even if these involve a life cycle of projects that exceed the financial year;

3. Expects to be further informed by the Agency, in this respect, on its analysis of options offered by the new Financial Regulation framework in order to reconcile a proper implementation of the programmes while, at the same time, observing to the principle of the annuality of the budget;

Wednesday 21 April 2004

4. Notes the Agency's plan to improve its system of internal control, involving the possible setting up of an Internal audit capability, and the initiatives it announced for implementing, in 2004, the internal control standards; expects to be informed on these matters by the Agency once it has completed its internal procedures;

Legality and regularity of the underlying transactions

5. Notes the ECA's criticism over the way the Agency carried out the controls of the beneficiaries under the SMEs funding scheme, in particular as regards the veracity of declared expenditure, and the ECA's observations concerning the Agency's final evaluation of some of these projects; notes also the Agency's reply that, as a consequence of such evaluations, half of the 51 project holders did not receive the full grant amount; invites the Agency to use the 'lessons learned' in managing the 2002 SME funding scheme to ensure greater rigour and better value for money in subsequent schemes;

6. Invites the Agency to forward to its competent committees the external evaluation report of the second SME funding scheme by September 2004 and to provide information on the follow-up to the evaluation report for 2001-2002;

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

7. Reiterates the position taken in its resolutions⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

8. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

9. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

Financial Management

10. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

11. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

Review of the agencies

12. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

13. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

14. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

15. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

16. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

17. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

18. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Harmonised operating framework

19. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

20. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

21. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge pro-

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

Wednesday 21 April 2004

cedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

22. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

23. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

24. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

25. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽¹⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

26. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

27. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

P5_TA(2004)0322

Discharge 2002: European Environment Agency

1.

European Parliament decision on the discharge to the Director of the European Environment Agency in respect of the implementation of its budget for the financial year 2002 (C5-0635/2003 – 2003/2245(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Environment Agency for the financial year 2002, together with the Agency's replies⁽¹⁾ (C5-0635/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0140/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1641/2003 of 22 July 2003 amending Regulation

⁽¹⁾ OJ C 319, 30.12.2003, p. 15.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

(EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network ⁽¹⁾ and in particular article 13 thereof,

- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽²⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0212/2004),
1. Gives discharge to the Director of the European Environment Agency, in respect of the implementation of its budget for the financial year 2002;
 2. Records its comments in the accompanying resolution;
 3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Environment Agency, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ L 245, 29.9.2003, p. 1.

⁽²⁾ OJ L 357, 31.12.2002, p. 72.

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Environment Agency in respect of the implementation of its budget for the financial year 2002 (C5-0635/2003 – 2003/2245(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Environment Agency for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0635/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0140/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1641/2003 of 22 July 2003 amending Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network ⁽³⁾ and in particular article 13 thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular

⁽¹⁾ OJ C 319, 30.12.2003, p. 15.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 1.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

B. whereas on 6 November 2003 Parliament gave discharge to the Director of the European Environment Agency in respect of the implementation of its budget for the 2001 financial year and at the same time Parliament in its resolution ⁽¹⁾ inter alia:

- welcomed the Agency's efforts to improve the planning of its operational activities aimed at reducing the level of carry-overs and took the view that the carry-overs mainly due to the contractual relation of the Agency with the Topic Centres constituted a 'systemic' problem that called for stricter control of the implementation of contracts by such Centres; called also for the development of a harmonised approach among Agencies, based on best practice, when dealing with such problems of a 'systemic' nature;
- invited the Agency to implement appropriate measures for improving its system of filing and archiving with a view to complying with the requirement of having in its files all necessary supporting documentation;
- expected the Agency to intensify its efforts in the area of interinstitutional cooperation on matters such as tendering procedures;

1. Notes the following figures for the accounts of the European Environment Agency for the financial years 2002 and 2001;

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue		
Own revenue		
Commission subsidies	18 749	18 342
Miscellaneous revenue	1 136	1 493
Financial revenue	198	369
Total revenue (a)	20 083	20 204
Expenditure		
<i>Staff — Title I of the budget</i>		
Payments	9 714	8 126
Appropriations carried over	1 018	735
<i>Administration — Title II of the budget</i>		
Payments	2 054	1 423
Appropriations carried over	247	521
<i>Operating activities — Title III of the budget</i>		
Payments	6 493	3 738
Appropriations carried over	5 611	6 856
Total expenditure (b)	25 137	21 399
Outturn for the financial year (a - b) ⁽¹⁾	- 5 054	- 1 195
Balance carried over from the previous financial year	- 3 274	- 3 117
Appropriations carried over and cancelled	888	939
Sums for re-use from the previous financial year not used	8	86
Amounts refunded to the Commission		
Exchange-rate differences	4	13
Balance for the financial year	- 7 428	- 3 274
NB: Any discrepancies in totals are due to the effects of rounding. Source: The Agency's data.		

⁽¹⁾ Calculated according to the principles of Article 15 of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 (OJ L 130, 31.5.2000, p. 8).

⁽¹⁾ OJ L 333, 20.12.2003, pp. 71 and 72.

Wednesday 21 April 2004

Implementation of the budget – Audit and control

2. Notes the Agency's reply to the questionnaire concerning carry-overs and in particular its position concerning the multi-annual nature of several of its projects; invites the Agency therefore to explain further its analysis of the options offered by the new Financial Regulation, in particular the use of differentiated appropriations in the case of agreements with the European Topic Centres with a view to reducing carry-overs and better complying with the annuality principle;
3. Welcomes the establishment by the Agency of an internal audit capability but stresses the importance of cooperation with the Commission's Internal Audit Service;
4. Reiterates its call to the Agency to implement rapidly the measures needed to support the decentralised filing and archiving system with a view enabling the financial departments to better monitor the Agency's activities and programmes;

Legality and regularity of the underlying transactions

5. Is deeply concerned by the repeated criticism voiced by the ECA as regards the deficiencies in the documents supplied in support of requests for payments; expects the Agency to take swift action to remedy this problem and to report to Parliament's competent committee once the filing, archiving and mail registration system is up and running;
6. Notes the Agency's undertaking given in the replies to the questionnaire that no further grant agreements with international bodies will be established in future and that they will be restricted to the specific context of the EEA Regulation and the new Financial Regulation;
7. Notes also the Agency's clarification as regards facilities offered to the Royal Awards Foundation and in particular that the latter has paid, since 1 January 2003, the cost of the office which it occupies at the Agency's premises; notes also the Agency's intention to cease hosting the Foundation; expects nonetheless the Agency to take stock of the ECA's observations so as to avoid similar criticism being voiced again in the future;

Horizontal points on the Agencies and the Commission***Implementing the new Financial Regulation – Internal audit and control***

8. Reiterates the position taken in its resolutions⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;
9. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.
10. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

Financial Management

11. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

12. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

13. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

14. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

15. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

16. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

17. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

18. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

19. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Wednesday 21 April 2004

Harmonised operating framework

20. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

21. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

22. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

23. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

24. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

25. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

26. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽³⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

27. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

28. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

⁽³⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

Wednesday 21 April 2004

P5_TA(2004)0323

Discharge 2002: European Agency for the Evaluation of Medicinal Products

1.

European Parliament decision on the discharge to the Director of the European Agency for the Evaluation of Medicinal Products in respect of the implementation of its budget for the financial year 2002 (C5-0638/2003 – 2003/2255(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Agency for the Evaluation of Medicinal Products for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0638/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0143/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1647/2003 of 18 June 2003 amending Regulation (EEC) No 2309/93 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 ⁽³⁾, and in particular article 57a thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0212/2004),

1. Gives discharge to the Director of the European Agency for the Evaluation of Medicinal Products, in respect of the implementation of its budget for the financial year 2002;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Agency for the Evaluation of Medicinal Products, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 319, 30.12.2003, p. 22.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 19.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

2.

European parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Agency for the Evaluation of Medicinal Products in respect of the implementation of its budget for the financial year 2002 (C5-0638/2003 – 2003/2255(DEC))*The European Parliament,*

- having regard to the Court of Auditors' report on the financial statements of the European Agency for the Evaluation of Medicinal Products for the financial year 2002, together with the Agency's replies ⁽¹⁾ (C5-0638/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0143/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1647/2003 of 18 June 2003 amending Regulation (EEC) No 2309/93 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 ⁽³⁾, and in particular article 57a thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular;
- B. whereas, in accordance with Article 185 of the new Financial Regulation, Parliament is exercising for the first time its competence to give discharge to the Agency's Director in respect of the implementation of the EMEA budget for the financial year 2002;
- C. whereas in inaugurating this new relationship with the Agency, Parliament's competent committee received information from this Agency in reply to questions it had forwarded to it;

1. Notes the following figures for the accounts of the European Agency for the Evaluation of Medicinal Products for the financial years 2002 and 2001;

⁽¹⁾ OJ C 319, 30.12.2003, p. 22.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 19.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue received during the financial year ⁽¹⁾		
Commission subsidy	14 534	14 000
Community subsidy for orphan medicines	2 407	1 300
Fees	38 372	42 708
EEE contribution	313	288
Sundry revenue	1 750	4 504
Total revenue (a)	57 376	62 800
Budgetary expenditure for the financial year		
<i>Staff — Title I of the budget</i>		
Payments	25 793	22 437
Appropriations carried over	424	538
<i>Administration — Title II of the budget</i>		
Payments	8 807	8 143
Appropriations carried over	1 910	4 851
<i>Operating expenditure — Title III of the budget</i>		
Payments	16 990	17 687
Appropriations carried over	4 477	8 113
Total expenditure (b)	58 401	61 769
Outturn for the financial year (a – b) ⁽²⁾	– 1 025	1 031
Balance carried over from the previous financial year	4 040	1 926
Reimbursement to the Commission	– 4 040	0
Sums carried over from the previous financial year and cancelled	1 377	1 258
Exchange-rate differences	– 141	345
Other adjustments	– 211	– 520
Balance for the financial year	0	4 040
NB: Discrepancies in totals are due to the effects of rounding. Source: The Agency's data. These tables summarise the data provided by the Agency in its own financial statements.		

⁽¹⁾ This amount includes EUR 5,2 million of revenue due in respect of the financial year 2002 (EUR 10,7 million in 2001).⁽²⁾ Calculation based on the principles of Article 15 of Council Regulation (EC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000, p. 8).**Implementation of the budget — Financial rules**

2. Expects the Agency in adopting its financial rules to take full account of the suggestions contained in the Court of Auditors' opinion No 6/2003 of 17 July 2003;

3. Welcomes the agreement that was reached between the Agency and the Commission on the payment of the Community subsidy in three instalments, intended to help reduce carry-overs; notes furthermore the revised procedure put in place, in agreement with the Court of Auditors, for the processing of commitments in the event that an inspection is decided upon, with a view to better complying with the annuality principle; invites the Agency to further comment on whether the use of differentiated appropriations might have a positive effect on the level of carry-overs;

4. Stresses however that, despite the agreement reached, the carry-overs situation resulting from the procedure applied for inspections by a national agency would need to be improved;

Wednesday 21 April 2004

5. Notes with interest the agreement reached between the Agency and the Commission allowing, in compliance with the new Financial Regulation, for the positive balance of the outturn account of the Agency to be available on the budget line of the Community subsidy should its income from fees prove to be lower than forecast; points out that the responsibilities of the Agency, particularly in the field of pharmaco-vigilance, exceed those attributable to fees paid by companies seeking authorisation for medicinal products; takes the view that this solution, which allows for a different treatment to be reserved to carry-overs relating to Community subsidy revenue and fee income, is pragmatic and introduces the necessary flexibility, given the Agency's particular characteristics;

Financial statements

6. Notes the Agency's reply concerning the steps taken to improve the processing of advances paid for inspections and fees actually due; expects the Agency to further clarify the information given on the use of customers deposits;

Legality and regularity of the underlying transactions

7. Notes the steps taken to improve internal control procedures; expects the Agency to adequately comply with the requirement for providing systematically the necessary supporting documents against which payments are to be made;

Other

8. Welcomes the Agency's decision to formalise the functioning of an internal audit service; expects the Agency and the Commission to take further steps towards improving cooperation between that service and the Commission's Internal Audit Service (IAS);

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

9. Reiterates the position taken in its resolutions⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

10. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

11. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

Financial Management

12. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

13. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

14. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

15. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

16. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

17. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

18. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

19. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

20. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Harmonised operating framework

21. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks,

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

Wednesday 21 April 2004

not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽¹⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

22. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

23. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

24. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

25. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

26. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

27. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽²⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

28. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

29. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ P5_TA(2004)0015 (paragraph 24).

⁽²⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

Wednesday 21 April 2004

P5_TA(2004)0324

Discharge 2002: Translation Centre

1.

European Parliament decision on the discharge to the Director of the Translation Centre for the bodies of the European Union in respect of the implementation of its budget for the financial year 2002 (C5-0637/2003 – 2003/2247(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the Translation Centre for the bodies of the European Union for the financial year 2002, together with the Centre's replies ⁽¹⁾ (C5-0637/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0142/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1645/2003 of 18 June 2003 amending Regulation (EC) No 2965/94 setting up a Translation Centre for the bodies of the European Union ⁽³⁾ and in particular Article 19 thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control (A5-0212/2004),

1. Gives discharge to the Director of the Translation Centre for the bodies of the European Union in respect of the implementation of its budget for the financial year 2002;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Director of the Translation Centre for the bodies of the European Union, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 319, 30.12.2003, p. 29.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 13.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the Translation Centre for the bodies of the European Union in respect of the implementation of its budget for the financial year 2002 (C5-0637/2003 – 2003/2247(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the Translation Centre for the bodies of the European Union for the financial year 2002, together with the Centre's replies ⁽¹⁾ (C5-0637/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0142/2004),

⁽¹⁾ OJ C 319, 30.12.2003, p. 29.

Wednesday 21 April 2004

- having regard to the EC Treaty, and in particular Article 276 thereof,
 - having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽¹⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1645/2003 of 18 June 2003 amending Regulation (EC) No 2965/94 setting up a Translation Centre for the bodies of the European Union⁽²⁾ and in particular Article 19 thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽³⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular
- B. whereas on 6 November 2003 Parliament gave discharge⁽⁴⁾ to the Director of the Translation Centre in respect of the implementation of its budget for the 2001 financial year and at the same time Parliament in its resolution *inter alia*:
- called on the Centre to step up its efforts, together with the Luxembourg authorities, to find a permanent solution to its premises problem;
 - encouraged the Centre's action, in view of the forthcoming enlargement, to ensure better cooperation between institutions;
1. Notes the following figures for the accounts of the Translation Centre for the bodies of the European Union for the financial years 2002 and 2001;

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 245, 29.9.2003, p. 13.

⁽³⁾ OJ L 357, 31.12.2002, p. 72.

⁽⁴⁾ OJ L 333, 20.12.2003, pp. 65 and 66.

Wednesday 21 April 2004

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue received for the financial year		
Revenue paid by EU bodies	17 200	19 550
Revenue paid by the European institutions	913	633
Miscellaneous revenue	0	5
Financial revenue	494	458
Total revenue (a)	18 607	20 646
Budgetary expenditure for the financial year		
<i>Staff — Title I of the budget</i>		
Payments	10 005	13 862
Appropriations carried over	98	892
<i>Administration — Title II of the budget</i>		
Payments	1 388	1 090
Appropriations carried over	676	929
<i>Operating activities — Title III of the budget ⁽¹⁾</i>		
Payments	3 274	0
Appropriations carried over	473	0
Total expenditure (b)	15 914	16 773
Outturn for the financial year (a – b) ⁽²⁾	2 693	3 873
Balance carried over from the previous financial year	7 875	4 977
Appropriations carried over which lapsed	259	240
Miscellaneous revenue	33	—
Allocations to provision for liabilities	– 2 532	– 1 221
Exchange-rate differences	2	6
Balance for the financial year	8 330	7 875
NB: Any discrepancies in totals are due to the effects of rounding. Source: Centre data. These tables summarise the data supplied by the Centre in its own financial statements.		

(1) In 2002 the Centre decided for the sake of clarity to create a Title III in its budget, grouping together all expenditure in respect of translation contracts concluded with natural or legal persons.

(2) Calculation based on the principles of Article 15 of Council Regulation (EC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000, p. 8).

2. Notes the Centre's plan to take measures to strengthen its internal control system and in particular its risk assessment; expects the Centre to inform its competent committee of such organisational changes once these internal steps have been taken;

Implementation of the budget

3. Welcomes the Centre's reply to the questionnaire concerning the trend in its carry-overs in recent years which shows a clear reduction; encourages the Centre to continue its efforts to make further improvements in this field;

4. Notes the Centre's effort to respond positively to the ECA's observation concerning the way in which the Centre should apply financial rules when the balance for one financial year is entered as revenue in the budget for the subsequent year; expects the Centre to finalise a solution in line with the ECA's recommendation;

Wednesday 21 April 2004

Translation Centre premises

5. Approves the Centre's efforts to reach agreement with the Luxembourg authorities on the question of its premises; notes that no solution has yet been found; recalls that, in general, as regards buildings policy, the institutions consider, on the basis of a cost/benefit analysis, that the solution of purchasing is preferable to that of renting; stresses that, as regards building projects, Article 179 of the Financial Regulation applies; encourages the Centre to make further efforts, together with the Luxembourg authorities, to find a permanent solution to the problem, finding premises suitable to its needs;

Horizontal points on the Agencies and the Commission***Implementing the new Financial Regulation — Internal audit and control***

6. Reiterates the position taken in its resolutions ⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

7. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

8. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions ⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999 ⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

Financial Management

9. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

10. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

11. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

12. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

13. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

14. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

15. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

16. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

17. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

18. Considers that the Translation Agency should be able to use any spare capacity, without prejudice to the priority to be given to the European Institutions, to provide services to other international organisations for a fee, which would gradually reduce dependency on the Community budget;

Harmonised operating framework

19. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

20. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

21. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

Wednesday 21 April 2004

22. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

23. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

24. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

25. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽¹⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

26. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

27. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

P5_TA(2004)0325

Discharge 2002: Centre for the Development of Vocational Training

1.

European Parliament decision on the discharge to the Director of the Centre for the Development of Vocational Training in respect of the implementation of its budget for the financial year 2002 (C5-0630/2003 – 2003/2240(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the Centre for the Development of Vocational Training for the financial year 2002, together with the Centre's replies⁽¹⁾ (C5-0630/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0136/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,

⁽¹⁾ OJ C 319, 30.12.2003, p. 36.

Wednesday 21 April 2004

- having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽¹⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1655/2003 of 18 June 2003 amending Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training and repealing Regulation (EEC) No 1416/76⁽²⁾, and in particular Article 12a thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽³⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),
1. Gives discharge to the Director of the Centre for the Development of Vocational Training in respect of the implementation of its budget for the financial year 2002;
 2. Records its comments in the accompanying resolution;
 3. Instructs its President to forward this decision and the accompanying resolution to the Director of the Centre for the Development of Vocational Training, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 245, 29.9.2003, p. 41.

⁽³⁾ OJ L 357, 31.12.2002, p. 72.

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the Centre for the Development of Vocational Training in respect of the implementation of its budget for the financial year 2002 (C5-0630/2003 – 2003/2240(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the Centre for the Development of Vocational Training for the financial year 2002, together with the Centre's replies⁽¹⁾ (C5-0630/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0136/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1655/2003 of 18 June 2003 amending Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training and repealing Regulation (EEC) No 1416/76⁽³⁾, and in particular Article 12a thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,

⁽¹⁾ OJ C 319, 30.12.2003, p. 36.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 41.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

- having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular,
- B. whereas, on 8 April 2003 Parliament gave discharge⁽¹⁾ to the Management Board of the Centre in respect of the implementation of its budget for the 2001 financial year and at the same time Parliament in its resolution *inter alia*:
- regretted that the Centre had not followed the tendering procedures for the awarding of contracts entirely properly and called upon it to proceed with its efforts to better programme its work with a view to avoiding emergencies which have in the past resulted in non-compliance with the rules of tendering procedures;
 - suggested that in view of the forthcoming enlargement the results of the cooperation between Cedefop and the European Training Foundation (ETF) should be monitored and the possibility of further enhancing such cooperation should be examined;
 - called, on the basis of the external evaluation of the Centre's activity, for an effort to raise the public profile of Cedefop and for an improvement in the dissemination and targeting of information by the Centre;
1. Notes the following figures for the accounts of the Centre for the Development of Vocational Training for the financial years 2002 and 2001;

⁽¹⁾ OJ L 148. 16.6.2003, pp. 82 and 83.

Wednesday 21 April 2004

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue		
Commission subsidies	12 135	13 200
Revenue from previous financial years	25	724
Sundry revenue	3	0
Assigned revenue (PHARE + other)	333	402
Financial revenue	50	104
Total revenue (a)	12 546	14 430
Budgetary expenditure for the financial year		
<i>Staff — Title I of the budget</i>		
Payments	7 570	7 231
Appropriations carried over	298	266
<i>Administration — Title II of the budget</i>		
Payments	767	700
Appropriations carried over	345	323
<i>Operational activities — Title III of the budget (excluding assigned revenue)</i>		
Payments	2 491	2 720
Appropriations carried over	2 189	2 059
<i>Assigned revenue (PHARE + others)</i>		
Payments	0	277
Appropriations carried over	187	453
Total expenditure (b)	13 847	14 029
Outturn for the financial year (a – b) ⁽¹⁾	– 1 301	401
Balance carried over from the previous financial year	532	– 228
Appropriations carried over which lapse	215	349
Unused reallocations from the previous financial year	8	12
Exchange-rate differences	1	– 2
Balance for the financial year	– 545	532
Source: European Centre for the Development of Vocational Training.		

(¹) Calculated as specified in Article 15 of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 (OJ L 130, 31.5.2000, p. 8).

2. Notes the Centre's reply to the ECA's observation regarding the need to formalise the Centre's arrangement with the Commission for paying the costs of their joint participation in international events; expects to be informed by the Centre and the Commission of the exact terms of the agreement, in particular as regards the checks to be performed, as the ECA suggested;

Other observations

3. Expects the Centre to inform its competent committee once the internal audit capability is up and running and to indicate when it expects to have completed the work needed to ensure compliance with internal control standards;

Wednesday 21 April 2004

4. Notes the Summary Joint Progress report on cooperation between the Centre and the European Training Foundation (ETF), of 23 September 2003, which outlines joint initiatives and action taken, in particular, with a view to preparing for accession and for the candidate countries' effective participation in the Centre's activities by the time of enlargement; stresses that the joint action should continue; invites the Centre, ETF and the Commission to report to Parliament, once the ten new countries have acceded, on the results of transferring the ETF's work in these countries under the responsibility of Cedefop;

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation – Internal audit and control

5. Reiterates the position taken in its resolutions ⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

6. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; Expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

7. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions ⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999 ⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

Financial Management

8. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

9. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

10. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

11. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

12. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

13. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

14. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

15. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

16. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Harmonised operating framework

17. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

18. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

19. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

20. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

Wednesday 21 April 2004

21. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

22. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

23. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽¹⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

24. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

25. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

P5_TA(2004)0326

Discharge 2002: Eurojust

1.

European Parliament decision on the discharge to the Director of Eurojust in respect of the implementation of its budget for the financial year 2002 (C5-0662/2003 – 2003/2256(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of Eurojust for the financial year 2002, together with the Eurojust's replies⁽¹⁾ (C5-0662/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0150/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Decision 2003/659/JHA of 18 June 2003 amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime⁽³⁾ and in particular Article 36 thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,

⁽¹⁾ OJ C 319, 30.12.2003, p. 42.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 44.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

- having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Citizen's Freedoms and Rights, Justice and Home Affairs (A5-0212/2004),
1. Gives discharge to the Director of Eurojust in respect of the implementation of its budget for the financial year 2002;
 2. Records its comments in the accompanying resolution;
 3. Instructs its President to forward this decision and the accompanying resolution to the Director of Eurojust, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of Eurojust in respect of the implementation of its budget for the financial year 2002 (C5-0662/2003 – 2003/2256(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of Eurojust for the financial year 2002, together with the Eurojust's replies ⁽¹⁾ (C5-0662/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0150/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Decision 2003/659/JHA of 18 June 2003 amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime ⁽³⁾ and in particular Article 36 thereof,
 - having regard to the Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Citizen's Freedoms and Rights, Justice and Home Affairs (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular;
 - B. whereas Eurojust became operational at the end of 2002 and Parliament, in accordance with Article 185 of the new Financial Regulation, is exercising for the first time its competence to give discharge to Eurojust's Director in respect of the implementation of its budget;
 - C. whereas Parliament's competent committee received information from Eurojust in reply to questions it had forwarded to it;

1. Notes the following figures for the accounts of Eurojust for the financial year 2002:

⁽¹⁾ OJ C 319, 30.12.2003, p. 42.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 44.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

Revenue and expenditure account for the financial year 2002

(1 000 euros)

	2002
Revenue	
Commission subsidies	1 478
Total revenue (a)	1 478
Expenditure	
<i>Staff — Title I of the budget</i>	
Payments	205
Appropriations carried over	42
<i>Administration — Title II of the budget</i>	
Payments	793
Appropriations carried over	268
<i>Operational activities — Title III of the budget</i>	
Payments	213
Appropriations carried over	37
Total expenditure (b)	1 558
Outturn for the financial year (a – b) ⁽¹⁾	– 80
NB. Any discrepancies in totals are due to the effects of rounding. Source: Eurojust data. These tables summarise the data as supplied by Eurojust in its own financial statements.	

(¹) Calculated as specified in Article 15 of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 (OJ L 130, 31.5.2000, p. 8.).

Budget implementation

2. Notes Eurojust's position that it at present concentrating on setting up and that problems that might be encountered during the initial stage of its work with regard to budget implementation are expected to be overcome in the financial year 2004;

Financial Regulation

3. Expresses its satisfaction that agreement seems imminent on Eurojust's compliance with the framework Financial Regulation; asks to be fully informed about the final agreement on this matter;

Interinstitutional cooperation

4. Welcomes Eurojust's readiness to draw on the experience, mechanisms and working methods of existing institutions; notes its remark on the difficulties that a small agency may encounter when dealing with a far bigger and complex institution such as the Commission;

5. Welcomes Eurojust's position that it looks forward to receiving help and guidance from the Commission's services in particular in the areas of accounting and internal audit and control;

6. Invites Eurojust to endeavour to establish a good working relationship with Parliament and its competent committees as regards both the discharge procedure and issues relating to its specific role and tasks;

Wednesday 21 April 2004

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

7. Reiterates the position taken in its resolutions ⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

8. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; Expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

9. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions ⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999 ⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

Financial Management

10. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

11. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

12. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

13. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

14. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

15. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

16. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

17. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

18. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Harmonised operating framework

19. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

20. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

21. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

22. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

23. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

24. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

Wednesday 21 April 2004

25. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽¹⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

26. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

27. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

P5_TA(2004)0327

Discharge 2002: European Training Foundation

1.

European Parliament decision on the discharge to the Director of the European Training Foundation in respect of the implementation of its budget for the financial year 2002 (C5-0641/2003 – 2003/2259(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Training Foundation for the financial year 2002, together with the Foundation's replies⁽¹⁾ (C5-0641/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0144/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1648/2003 of 18 June 2003 amending Regulation (EEC) No 1360/90 establishing a European Training Foundation⁽³⁾ and in particular Article 11 thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),

⁽¹⁾ OJ C 319, 30.12.2003, p. 47.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 22.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

1. Gives discharge to the Director of the European Training Foundation in respect of the implementation of its budget for the financial year 2002;
2. Records its comments in the accompanying resolution;
3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Training Foundation, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Training Foundation in respect of the implementation of its budget for the financial year 2002 (C5-0641/2003 – 2003/2259(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Training Foundation for the financial year 2002, together with the Foundation's replies ⁽¹⁾ (C5-0641/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0144/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1648/2003 of 18 June 2003 amending Regulation (EEC) No 1360/90 establishing a European Training Foundation ⁽³⁾ and in particular Article 11 thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),
- A. whereas the European court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular;
- B. whereas Parliament, in accordance with Article 185 of the new Financial Regulation, is exercising for the first time its competence to give discharge to the Foundation's Director in respect of the implementation of its budget for the financial year 2002;
- C. whereas in inaugurating this new relationship with the Foundation, Parliament's competent committee received information from it in reply to the questions it addressed to the Foundation;

1. Notes the following figures for the accounts of the European Training Foundation for the financial years 2002 and 2001;

⁽¹⁾ OJ C 319, 30.12.2003, p. 47.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 22.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

Revenue and expenditure account for the financial years 2002 and 2001 ⁽¹⁾

(1 000 euros)

	2002	2001
Revenue		
Own revenue		
Commission subsidies	13 179	16 800
Miscellaneous revenue	23	47
Financial revenue	140	290
Total revenue (a)	13 342	17 137
Expenditure		
<i>Staff — Title I of the budget</i>		
Payments	10 153	9 746
Appropriations carried over	215	356
<i>Administration — Title II of the budget</i>		
Payments	805	862
Appropriations carried over	559	541
<i>Operating activities — Title III of the budget</i>		
Payments	2 307	2 572
Appropriations carried over	2 591	2 595
Total expenditure (b)	16 631	16 672
Outturn for the financial year (a – b) ⁽²⁾	– 3 289	465
Balance carried over from the previous financial year	4 055	3 352
Appropriations carried over and cancelled	424	258
Sums for re-use from the 2001 (2000) financial year, not used	0	0
Reimbursements to the Commission	– 3 352	0
Exchange-rate differences	6	– 20
Balance for the financial year	– 2 155	4 055
NB: Any discrepancies in totals are due to the effects of rounding. Source: Foundation data.		

⁽¹⁾ The revenue and expenditure account and balance sheet only take account of the Foundation's specific activities: they ignore programmes managed on behalf of the Commission or other bodies.

⁽²⁾ Calculated according to the provisions of Article 15 (EC, Euratom) No 1150/2000 of 22 May 2000 (OJ L 130, 31.5.2000, p. 8).

Implementation of the budget — Audit and control

2. Notes the ECA's criticism that the volume of carry-overs of operating appropriations remains high and its observation that the Foundation should improve the monitoring of its programme; notes also the Foundation's reply in which it suggested that a reduction in the level of carry-overs is to be expected for the year after 2002 and that the introduction of multiannual payment appropriations would help solve the problem;

3. Invites the Foundation to further explain its analysis of options offered by the new Financial Regulation, with a view to reducing carry-overs and better complying with the annuality principle;

4. Notes with satisfaction the Foundation's plan to adopt the 24 internal control standards with a view to complying fully with those standards by the end of 2004; notes also steps taken towards establishing an internal audit capability; stresses the importance of cooperation with the Commission's Internal Audit Service;

Wednesday 21 April 2004

5. Notes that the Community subsidy to the Foundation is paid in periodic instalments; notes also the Foundation's remark in its replies to the questionnaire that delays in the payment of instalments resulted in a cash-flow problem; takes the view that such situations may have adverse effects on the implementation of the work programme;

6. Invites the Commission and the Foundation to improve their coordination and to prevent, by appropriate means, such problems occurring again; invites the Commission to inform its competent committees of the problem and of the measures taken to remedy that situation;

Financial statements

7. Notes the Foundation's reply to the ECA's observation as regards the presentation in its financial statements for the year 2003 of the convention funds it manages from Tacis, Phare and Tempus technical assistance; notes the Foundation's readiness, following consultation with the Commission, to find the appropriate solution in response to the ECA's observation;

Legality and regularity of the underlying transactions

8. Invites the Foundation, in cooperation with the Commission, to ensure the proper follow-up to the ECA's observation with regard to checks that should be applied in order to verify that only those former employees of the Foundation who are entitled to the unemployment allowance actually receive it.

Other

9. Notes the Foundation's readiness to take up additional tasks; reiterates its call to the Commission to use the Foundation's expertise in a wider geographical context than at present and for providing technical assistance to programmes such as Tempus and Erasmus Mundus;

10. Notes the Summary Joint Progress Report on cooperation between the Foundation and Cedefop, of 23 September 2003, which outlines joint initiatives and action taken with a view to preparing the candidate countries' participation in Cedefop's activities from the moment enlargement is effective; stresses that the joint action should continue; invites the ETF, Cedefop and the Commission to report to Parliament, once the ten new countries have acceded, on the results of transferring ETF's work in these countries under the responsibility of Cedefop;

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

11. Reiterates the position taken in its resolutions⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

12. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

13. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

Financial Management

14. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

15. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

16. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

17. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

18. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

19. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

20. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

21. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

22. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Wednesday 21 April 2004

Harmonised operating framework

23. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

24. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a pre-condition for creating the harmonised framework;

Staff policy

25. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

26. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

27. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

28. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

29. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽³⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

30. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

31. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

⁽³⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

Wednesday 21 April 2004

P5_TA(2004)0328

Discharge 2002: European Foundation for the Improvement of Living and Working Conditions

1.

European Parliament decision on the discharge to the Director of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial year 2002 (C5-0631/2003 – 2003/2241(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2002, together with the Foundation's replies ⁽¹⁾ (C5-0631/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0137/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1649/2003 of 18 June 2003 amending Regulation (EEC) No 1365/75 on the creation of a European Foundation for the Improvement of Living and Working Conditions and repealing Regulation (EEC) No 1417/76 ⁽³⁾ and in particular Article 16 thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),

1. Gives discharge to the Director of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial year 2002;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Foundation for the Improvement of Living and Working Conditions, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 319, 30.12.2003, p. 55.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 25.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial year 2002 (C5-0631/2003 – 2003/2241(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2002, together with the Centre's replies ⁽¹⁾ (C5-0631/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0137/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1649/2003 of 18 June 2003 amending Regulation (EEC) No 1365/75 on the creation of a European Foundation for the Improvement of Living and Working Conditions and repealing Regulation (EEC) No 1417/76 ⁽³⁾ and in particular Article 16 thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurance that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular
- B. whereas on 8 April 2003 Parliament gave discharge ⁽⁵⁾ to the Management Board of the Foundation in respect of the implementation of its budget for the 2001 financial year and at the same time Parliament in its resolution *inter alia*:
- regretted that the Foundation had not followed the tendering procedures in all its service contracts entirely properly and called upon the Foundation to remedy that problem;
 - welcomed the overall positive appraisal of the external evaluation of the Foundation's work and called on it to pursue its efforts with a view to improving cooperation with the Commission and the Parliament and introducing internal control processes;
 - congratulated the Foundation on the high quality of the work carried out and encouraged it to pursue its information efforts to make this work known to a wider audience;

1. Notes the following figures for the accounts of the European Foundation for the Improvement of Living and Working Conditions for the financial years 2002 and 2001;

⁽¹⁾ OJ C 319, 30.12.2003, p. 55.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 25.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

⁽⁵⁾ OJ L 148, 16.6.2003, pp. 89 and 90.

Wednesday 21 April 2004

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue		
Commission subsidies	16 500	14 958
Sundry revenue	62	16
Financial revenue	57	96
Total revenue (a)	16 619	15 070
Expenditure		
<i>Staff — Title I of the budget</i>		
Payments	9 111	7 583
Appropriations carried over	216	190
<i>Administration — Title II of the budget</i>		
Payments	938	854
Appropriations carried over	683	245
<i>Operational activities — Title III of the budget</i>		
Payments	3 290	3 129
Carry-overs	3 105	3 148
Total expenditure (b)	17 343	15 150
Outturn for the financial year (a – b) ⁽¹⁾	– 724	– 80
Balance carried over from the previous financial year	–1 209	– 1 210
Appropriations carried over and cancelled	81	59
Sums from the financial year 2001 for re-use that were not used	13	24
Exchange-rate differences	3	– 2
Balance for the financial year	– 1 836	– 1 209
NB: Any discrepancies in totals are due to the effects of rounding. Source: The Foundation's data. These tables present, in summary form, the data supplied by the Foundation in its own financial statements.		

⁽¹⁾ Calculation according to the principles of Article 15 of Council Regulation (EC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000, p. 8).

Implementation of the budget

2. Notes the ECA's criticism concerning the large amount of carry-overs in operational activities; welcomes the efforts made by the Foundation and the outline of measures it presented aimed at improving planning and monitoring so as to reduce carry-overs considerably; considers that sharing these measures with other Agencies in the context of best practices could be helpful in managing carry-overs;

3. Invites the Foundation to present its analysis of options offered by the new Financial Regulation, with a view to further reducing carry-overs;

Financial statements

4. Calls on the Foundation to intensify its efforts to have an integrated accounting system up and running as soon as possible and to adopt the measures needed for monitoring its fixed assets, including depreciation; calls on the Commission to provide the Foundation with the assistance this may require especially as regards integration of the accounting system;

Wednesday 21 April 2004

Underlying transactions

5. Expects the Foundation to take all necessary steps, in line with the new Financial Regulation, to respond rapidly to the ECA's call for it to improve the transparency of its tendering procedures;

Horizontal points on the Agencies and the Commission*Implementing the new Financial Regulation — Internal audit and control*

6. Reiterates the position taken in its resolutions ⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

7. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; Expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

8. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions ⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999 ⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

Financial Management

9. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

10. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

11. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

12. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

13. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

14. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

15. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

16. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

17. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Harmonised operating framework

18. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

19. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a precondition for creating the harmonised framework;

Staff policy

20. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

21. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

Wednesday 21 April 2004

22. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

23. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

24. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽¹⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

25. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

26. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

P5_TA(2004)0329

Discharge 2002: European Monitoring Centre for Drugs and Drug Addiction

1.

European Parliament decision on the discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2002 (C5-0634/2003 – 2003/2244 (DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2002, together with the Centre's replies⁽¹⁾ (C5-0634/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0139/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1651/2003 of 18 June 2003 amending Regulation (EEC) No 302/93 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction⁽³⁾ and in particular Article 11a thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,

⁽¹⁾ OJ C 319, 30.12.2003, p. 62.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 30.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

- having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0212/2004),
1. Gives discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2002;
 2. Records its comments in the accompanying resolution;
 3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Monitoring Centre for Drugs and Drug Addiction, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the financial year 2002 (C5-0634/2003 – 2003/2244 (DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2002, together with the Centre's replies ⁽¹⁾ (C5-0634/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0139/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1651/2003 of 18 June 2003 amending Regulation (EEC) No 302/93 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction ⁽³⁾ and in particular Article 11a thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurance that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular;
 - B. whereas on 6 November 2003 Parliament gave discharge ⁽⁵⁾ to the Director of the European Monitoring Centre for Drugs and Drug Addiction in respect of the implementation of its budget for the 2001 financial year and at the same time Parliament in its resolution *inter alia*:
 - welcomed the measures introduced by the Centre aimed at ensuring better monitoring, implementing, reporting on and assessment of its activities, and encouraged it to follow closely its operational activities with a view, in particular, to reducing carry-overs;

⁽¹⁾ OJ C 319, 30.12.2003, p. 62.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 30.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

⁽⁵⁾ OJ L 333, 20.12.2003, pp. 59 and 60.

Wednesday 21 April 2004

- invited the Centre to intensify interinstitutional cooperation in the areas of purchasing goods and services and tendering procedures on the basis of best practice;
- took the view that the Centre should seek an appropriate solution to its premises problem in line with the budgetary authority recommendations and stated that it would follow up this issue in the context of the next discharge procedure;

1. Notes the following figures for the accounts of the European Monitoring Centre for Drugs and Drug Addiction for the financial years 2002 and 2001;

Revenue and expenditure account for the financial years 2002 and 2001 ⁽¹⁾

(1 000 euros)

	2002	2001
Revenue		
Subsidies received from the Commission	9 000	8 750
Subsidies received from Norway	413	399
Other subsidies	735	1 153
Other revenue	133	99
Total revenue (a)	10 280	10 401
Expenditure		
<i>Staff – Title I of the budget</i>		
Payments	4 951	4 174
Appropriations carried over	80	490
<i>Administration – Title II of the budget</i>		
Payments	362	620
Appropriations carried over	509	624
<i>Operating activities – Title III of the budget</i>		
Payments	2 525	2 146
Appropriations carried over	1 001	2 026
Total expenditure (b)	9 698	10 079
Outturn for the financial year (a – b)	582	322
Balance carried over from the previous financial year ⁽²⁾	639	2 076
Appropriations carried over and cancelled	392	301
Unused sums for re-use from the previous financial year	9	18
Amount refunded to the Commission	0	– 2 076
Exchange-rate differences	3	– 2
Balance for the financial year ⁽³⁾	1 625	639
NB: Any discrepancies in totals are due to the effects of rounding. Source: Monitoring Centre's data.		

⁽¹⁾ In its accounts the Monitoring Centre included under revenue and expenditure the use of earmarked revenue not used in 2001.

⁽²⁾ The balance for the financial year 2001 is to be refunded to the Commission and is equivalent to the total of the outturn for the financial year plus depreciation (EUR 82 000 + EUR 557 000).

⁽³⁾ Calculated in accordance with the principles laid down in Article 15 of the Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 (OJ L 130, 31.5.2000, p. 8).

Implementation of the budget

2. Notes the Centre's reply to the questionnaire concerning the trend in carry-overs; welcomes the downward trend that emerges, which suggests that measures taken with a view to better planning, implementing and monitoring of the Centre's activities resulted in a reduction of carry-overs; encourages the Centre to continue its efforts in this regard;

Wednesday 21 April 2004

3. Expects the Centre to indicate whether the framework of the new Financial Regulation might offer further opportunities for reducing carry-overs;
4. Acknowledges the Centre's undertaking that operations such as the one criticised by the ECA, where appropriations were unduly transferred with a view to having the amount carried over, will not happen again;

Legality and regularity of the underlying transactions

5. Notes the Centre's position that it will henceforth fully observe the principle of the separation of duties as between authorising officer and accounting officer;

Personnel management

6. Expresses deep concern over the ECA's findings in its report on the way in which selection procedures were carried out by the Centre and on the serious anomalies detected in the process of an internal competition; notes the Centre's reply that the shortcomings identified were of a procedural nature and did not undermine the validity of the procedure or its outcome; expects the Centre to fully inform Parliament of any complaints lodged with the Court of Justice in this connection and on their outcome;
7. Takes the view that transparency, compliance with specified procedures and equal treatment in the recruitment process reflect on the credibility of Community institutions and bodies; expects the Centre therefore to make every effort to prevent such phenomena occurring in future recruitment procedures;
8. Notes the Centre's position that in future it will call upon the services of EPSO to organise competitions;

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

9. Reiterates the position taken in its resolutions ⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;
10. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.
11. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions ⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999 ⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

Financial Management

12. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

13. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

14. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

15. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

16. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

17. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

18. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

19. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

20. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Wednesday 21 April 2004

Harmonised operating framework

21. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

22. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a pre-condition for creating the harmonised framework;

Staff policy

23. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

24. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

25. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

26. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

27. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽³⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

28. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

29. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

⁽³⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

Wednesday 21 April 2004

P5_TA(2004)0330

Discharge 2002: European Monitoring Centre on Racism and Xenophobia**1.****European Parliament decision on the discharge to the Director of the European Monitoring Centre on Racism and Xenophobia in respect of the implementation of its budget for the financial year 2002 (C5-0633/2003 – 2003/2243(DEC))***The European Parliament,*

- having regard to the Court of Auditors' report on the financial statements of the European Monitoring Centre on Racism and Xenophobia for the financial year 2002, together with the Centre's replies⁽¹⁾ (C5-0633/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0138/2004),
- having regard to the EC Treaty, and in particular Article 276 thereof,
- 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1652/2003 of 18 June 2003 amending Regulation (EC) No 1035/97 on establishing a European Monitoring Centre on Racism and Xenophobia⁽³⁾ and in particular Article 12a thereof,
- having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0212/2004),

1. Gives discharge to the Director of the European Monitoring Centre on Racism and Xenophobia in respect of the implementation of its budget for the financial year 2002;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Director of the European Monitoring Centre on Racism and Xenophobia, the Council, the Commission and the Court of Auditors and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 319, 30.12.2003, p. 69.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 33.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

Wednesday 21 April 2004

2.

European Parliament resolution containing the comments accompanying the decision on the discharge to the Director of the European Monitoring Centre on Racism and Xenophobia in respect of the implementation of its budget for the financial year 2002 (C5-0633/2003 – 2003/2243(DEC))

The European Parliament,

- having regard to the Court of Auditors' report on the financial statements of the European Monitoring Centre on Racism and Xenophobia for the financial year 2002, together with the Centre's replies⁽¹⁾ (C5-0633/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0138/2004),
 - having regard to the EC Treaty, and in particular Article 276 thereof,
 - 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⁾ and in particular Article 185 thereof, and to Council Regulation (EC) No 1652/2003 of 18 June 2003 amending Regulation (EC) No 1035/97 on establishing a European Monitoring Centre on Racism and Xenophobia⁽³⁾ and in particular Article 12a thereof,
 - having regard to Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾ and, in particular, Article 94 of Regulation (EC, Euratom) No 2343/2002,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the Report of the Committee on Budgetary Control and the opinion of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0212/2004),
- A. whereas the European Court of Auditors (ECA) stated in its above-mentioned report that it had obtained reasonable assurances that the accounts for the financial year ended 31 December 2002 are reliable and that the underlying transactions, taken as a whole, are legal and regular;
- B. whereas on 6 November 2003 Parliament gave discharge⁽⁵⁾ to the Director of the European Monitoring Centre on Racism and Xenophobia in respect of the implementation of its budget for the 2001 financial year and at the same time Parliament in its resolution *inter alia*:
- invited the Centre to monitor more closely the implementation of appropriations and its work programme and encouraged it to make further efforts to solve recurrent problems in its relations with the RAXEN network;
 - took the view that the Centre should intensify its cooperation with other Agencies faced with similar 'systemic' problems in their relations with the networks of National Points so that progress might be made in developing a harmonised approach to such problems based on best practice;
 - stressed that the Centre should continue its efforts in particular in the areas of internal audit and control so as to improve its financial management;

1. Notes the following figures for the accounts of the European Monitoring Centre on Racism and Xenophobia for the financial years 2002 and 2001;

⁽¹⁾ OJ C 319, 30.12.2003, p. 69.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 33.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 72.

⁽⁵⁾ OJ L 333, 20.12.2003, pp. 78 and 79.

Wednesday 21 April 2004

Revenue and expenditure account for the financial years 2002 and 2001

(1 000 euros)

	2002	2001
Revenue		
Own revenue		
Commission subsidy	4 320	5 000
Miscellaneous revenue		
Financial revenue	43	46
Total revenue (a)	4 363	5 046
Expenditure		
<i>Staff — Title I of the budget</i>		
Payments	2 416	2 072
Appropriations carried over	187	67
<i>Administration — Title II of the budget</i>		
Payments	377	662
Appropriations carried over	60	151
<i>Operating activities — Title III of the budget</i>		
Payments	1 686	990
Appropriations carried over	1 234	1 181
Total expenditure (b)	5 960	5 123
Outturn for the financial year (a – b) ⁽¹⁾	– 1 597	– 77
Balance carried over from the previous financial year	– 8	179
Appropriations carried over, cancelled	52	75
Appropriations for re-use from the previous financial year, not utilised	151	0
Repayment to the Commission	– 179	– 174
Exchange-rate differences	2	– 11
Balance for the financial year	– 1 579	– 8
NB: Any discrepancies in totals are due to the effects of rounding. Source: Centre data.		

⁽¹⁾ Calculation based on the principles of Article 15 of Council Regulation (EC, Euratom) No 1150/2000 (OJ L130, 31.5.2000, p. 8).

Implementation of the budget

2. Notes the ECA's recommendation that the Monitoring Centre should continue its efforts to reduce carry-overs still further; notes also the Centre's position that the substantial carry-overs in operating appropriations are mainly related to the cycle of contract implementation by the RAXEN network; expects the Centre to improve its planning in this respect;

3. Invites the Centre to further explain its analysis of options offered by the new Financial Regulation, in particular with regard to the contracts relating to the RAXEN network, with a view to reducing carry-overs and ensuring compliance with the annuality principle;

4. Notes the Centre's acknowledgment of the improper carry-over of provisional commitments and its assurance that article 6 of the Centre's Financial Regulation will be properly applied in future;

5. Expects the Centre to comply with the ECA's observations on the timely issuing of recovery orders so as to ensure the effective monitoring of revenue;

Wednesday 21 April 2004

Financial statements

6. Shares the ECA's concern over the problem of the balance for the financial year 2002 (a deficit of EUR 1,6 million); notes also the adverse effects which the low level in payment appropriations may have on carrying out the Centre's work programme; takes the view that the difference between commitment and payment appropriations may not be such as to put at risk the proper implementation of the work programme;

7. Notes that the Community subsidy to the Centre is paid in four instalments; notes also the Centre's remark in its replies to the questionnaire that a situation similar to that of 2002, with a low level of payments and delays in the payment of instalments, was reoccurring in 2003, resulting in a similar cash-flow problem;

8. Invites the Commission and the Centre to improve their co-ordination in order to avoid such problems occurring again; invites the Commission to inform its competent committees about the problem and the measures taken to remedy the situation;

Legality and regularity of the underlying transactions

9. Expresses deep concern over the fact that despite repeated observations by the ECA on persistent internal control problems the desired improvements were still not put in place; takes the view that the implementation of the new Financial Regulation will help bring about such improvements; invites the Centre to increase its efforts in this regard;

10. Stresses the need for proper evaluation of results before renewal of contracts with the RAXEN national focus points, especially since problems with the network have already in previous years been considered 'systematic'; welcomes the Centre's plans to continuously evaluate the work of the focus points; stresses the importance of proper evaluation before new financial obligations are undertaken;

11. Invites the Centre to make sure that the ECA's recommendations, in particular as regards contract management, are followed up; stresses the need for efficiency in satellite bodies as the relative size of administrative expenditure is high compared with operational expenditure;

Horizontal points on the Agencies and the Commission

Implementing the new Financial Regulation — Internal audit and control

12. Reiterates the position taken in its resolutions⁽¹⁾ accompanying the discharge given to the Agencies for 2001 as regards the implementation of the new Financial Regulation; invites the Commission and the Agencies to continue their cooperation, in particular in the areas of accounting, internal audit, management and control procedures, so as to ensure that a coherent harmonised framework for the functioning of the Agencies is established;

13. Recalls that it expressed concern in the discharge resolution for 2001 concerning the lack of controls on the agencies carried out by the internal audit service of the Commission (IAS); expresses grave concern that such controls do not seem to have been carried out this year; asks the Commission and the IAS to explain the reasons for this and to provide data about the number of staff available to the Internal Auditor to carry out controls in the agencies; Expects the Commission to indicate how it can guarantee that sufficient and correct controls are carried out in the satellite bodies, in particular the IAS.

14. Stresses that it is essential that the Agencies be required to submit to the investigative powers of OLAF under the same conditions as the institutions⁽²⁾; invites the ECA to provide information, in time for adoption of the discharge resolution, on whether the Community bodies which acceded to the Interinstitutional Agreement of 25 May 1999⁽³⁾ on internal investigations by OLAF did so in the same terms as those laid down in the annex to this Agreement;

⁽¹⁾ OJ L 148, 16.6.2003, pp. 83-96 and OJ L 333, 20.12.2003, p. 53 (point 18).

⁽²⁾ Texts Adopted, 13.1.2004, P5_TA(2004)0015.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

Wednesday 21 April 2004

Financial Management

15. Notes that in some of the Agencies' replies to the questionnaire concerning the way in which the recurrent problem of substantial carry-overs might be addressed, mention is made of the possibilities offered by the new Financial Regulation, which provides for the use of 'differentiated appropriations'; invites the Agencies to better explain their analysis and to indicate in particular which of their activities of a multi-annual nature might be financed by such appropriations;

16. Invites the Commission to present its position on such a solution and, should it consider that this solution is not feasible, to outline alternatives allowing for a substantial reduction in carry-overs;

Review of the agencies

17. Stresses that, prior to any decision to set up an agency, the Commission must make a rigorous analysis of the need for and added value of the functions that the agency will perform, with an eye to the principles of subsidiarity, budgetary rigour and procedural simplification;

18. Calls on the Commission to make a general study of activities currently carried out by various Community bodies that might overlap or serve the same goals, and to propose appropriate solutions, including the possible mergers of agencies;

19. Is concerned by the fact that there is an imbalance between administrative and operational expenditure in many Agencies, with administrative expenditure exceeding expenditure for operational purposes; calls therefore on the Commission and the Agencies to set targets and a timetable to reduce the level of administrative expenditure as a proportion of total expenditure; notes that many Agencies see opportunities in this regard, as listed in the questionnaire;

20. With reference to the replies to the questionnaire on interinstitutional cooperation, encourages the Agencies to improve cooperation between themselves in order to meet their needs in specific areas (for example, software development) and reduce costs, rather than adopt solutions which were initially designed for the purposes of the Commission but which often prove to be too cumbersome and complicated for the Agencies' specific needs;

21. Encourages the Agencies to organise and develop a close working relationship with the competent parliamentary committees; invites its standing committees with competence in the areas of activity of each of the Agencies to co-ordinate their action with the Committees of Budgets and Budgetary Control, with a view to ensuring efficient monitoring of the activity of the Agencies;

New sources of financing

22. Welcomes the responses and ideas that emerged from the questionnaire concerning the possibilities of other sources of financing; notes that many current sources and proposals concern the letting of buildings and facilities and the sale of publications and information; realises that for reasons of independence, among other things, not all agencies are to accept additional financial sources; stresses the economies of scale and financial benefits of the participation of non-EU countries in the activities of certain Agencies; calls on the Commission and the Agencies to come forward with constructive proposals with regard to further development of new sources of additional financing, which would increase the level of self-financing;

23. Welcomes the financial contributions of some Member States and regions to the agencies located on their area; considers it important for Council and the Commission to demand such contributions, especially when new agencies are set up;

Wednesday 21 April 2004

Harmonised operating framework

24. Recalls its position⁽¹⁾ that the multitude of different forms in the existing agencies' structures was thought to be 'neither transparent nor comprehensible, and, even bearing in mind the differences in tasks, not justified'; invites the Commission to conduct a review of all the existing agencies with a view to proposing, where appropriate, amendments to their basic instruments⁽²⁾ so as to adapt them to the models that the future regulatory framework should encompass; instructs its competent committees to follow up this comprehensive review exercise, which should be conducted as soon as possible, and to take into consideration the horizontal issues mentioned in this discharge resolution;

25. Invites the Commission to present appropriate proposals, aimed at creating such a harmonised framework for the agencies, prior to or at least in parallel with the presentation of the legislative proposals for the new agencies; insists that an interinstitutional agreement spelling out common guidelines is a pre-condition for creating the harmonised framework;

Staff policy

26. Notes that, as a result of the new Financial Regulation, the organigrams of the agencies are established by the budgetary authority; stresses the importance of this change for the agency discharge procedure in the years to come as regards checking application of the Staff Regulation in matters of recruitment, promotion policy, vacancy rates and recruitment policy;

27. Notes that, in response to a questionnaire tabled in the course of the budgetary procedure for 2004, it was established that, on average, it took considerably fewer years to obtain promotion at several agencies than is the policy in the Commission, that vacancy rates were considerably higher compared to other institutions and that several of the requested new posts were not proposed at the lowest grade; considers that staff policy should form an important part of a review of the existing agencies;

28. Considers that the staff policy of the Agencies should comply with the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions; considers that the Commission has been requested to give, before the 2005 budgetary procedure, guidelines concerning staff policy, notably the rate of vacant posts, the rate of promotions, the level of recruitment and the standard career profile;

29. Recalls the principle that the Agencies should as far as possible employ staff on temporary contracts, in order to maintain flexibility and efficiency;

30. Is concerned about the serious anomalies detected in connection with the selection procedures of the European Monitoring Centre for Drugs and Drug Addiction, including: imprecise notice, incomplete selection committee minutes, criteria for assessing candidates not defined in advance⁽³⁾; is very concerned that this might not be an isolated case but that Agencies in general might have difficulty in managing these rather complex procedures in a fair and transparent manner;

31. Is of the opinion that selection procedures organised by Agencies should meet the same standards as those organised by the European Personnel Selection Office (EPSO) and that they should not be perceived as a backdoor for easy entry into the European civil service;

32. Invites the Commission to make proposals in order to ensure that the Agencies benefit from appropriate support from the EPSO when organising selection procedures and that there is a mechanism in place to validate the outcome of such procedures externally before recruitment takes place.

⁽¹⁾ P5_TA(2004)0015 (paragraphs 13 and 14).

⁽²⁾ P5_TA(2004)0015 (paragraph 24).

⁽³⁾ See paragraph 13 of the Court of Auditors' specific report for 2002 (p. 64).

Wednesday 21 April 2004

P5_TA(2004)0331

2002 discharge: ECSC**1.****European Parliament decision concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002 (C5-0646/2003 – 2003/2218(DEC))***The European Parliament,*

- having regard to the communication from the Commission on the financial statements of the ECSC at 23 July 2002 ⁽¹⁾,
- having regard to the Court of Auditors' report on the financial statements of the ECSC at 23 July 2002 ⁽²⁾, which includes the statement of assurance of 27 March 2003 concerning the reliability of the Commission's accounts in accordance with Article 45c(5) of the ECSC Treaty,
- having regard to the Court of Auditors' annual report and statement of assurance concerning the ECSC of 26 June 2003, in accordance with Article 45c(1) and (4) of the ECSC Treaty, for the financial year ended 23 July 2002, together with the Commission's replies (C5-0646/2003) ⁽³⁾,
- having regard to the ECSC Treaty, in particular Articles 78g and 97 thereof,
- having regard to Rules 93 and 93a of and Annex V to its Rules of Procedure,
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to the report of the Committee on Budgetary Control (A5-0201/2004),

1. Gives discharge to the Commission for the financial management of the ECSC for the financial year ended 23 July 2002;

2. Records its observations in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the Economic and Social Committee and the European Investment Bank and to have them published in the Official Journal of the European Union (L series);

⁽¹⁾ OJ C 127, 29.5.2003, p. 2.

⁽²⁾ OJ C 127, 29.5.2003, p. 2.

⁽³⁾ OJ C 224, 19.9.2003, p. 1.

2.**European parliament resolution containing the comments accompanying the decision concerning discharge for the financial management of the European Coal and Steel Community (ECSC) for the financial year ended 23 July 2002 (C5-0646/2003 – 2003/2218(DEC))***The European Parliament,*

- having regard to Articles 78g and 97 of the ECSC Treaty,
- having regard to the Protocol on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, annexed to the Treaty establishing the European Community, adopted in Nice on 26 February 2001 ⁽¹⁾,

⁽¹⁾ OJ C 80, 10.3.2001, p. 1 (see p. 67).

Wednesday 21 April 2004

- having regard to the Joint Declaration of the European Parliament, the Council and the Commission concerning post-ECSC arrangements adopted on 21 November 2001 in the context of the budgetary procedure dialogues ⁽¹⁾,
- having regard to the resolutions of the Council and of the representatives of the governments of the Member States, meeting within the Council, of 20 July 1998 ⁽²⁾ and 21 June 1999 ⁽³⁾ concerning the expiry of the Treaty establishing the European Coal and Steel Community,
- having regard to the Commission communication of 6 September 2000 to the Council, the European Parliament, the ECSC Consultative Committee, the Economic and Social Committee and the Committee of the Regions entitled 'Expiry of the ECSC Treaty: Financial activities after 2002' (COM(2000) 518),
- having regard to Decision 2002/234/ECSC of the representatives of the governments of the Member States, meeting within the Council, of 27 February 2002 on the financial consequences of the expiry of the ECSC Treaty and on the research fund for coal and steel ⁽⁴⁾, in order to govern the administration of the 'ECSC in liquidation' pending the entry into force of the Treaty of Nice, and having regard to the statements ⁽⁵⁾ made in connection therewith by the Commission and the Representatives of the Governments of the Member States, meeting within the Council,
- having regard to Council Decision 2003/76/EC of 1 February 2003 establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel ⁽⁶⁾,
- having regard to Council Decision 2003/77/EC of 1 February 2003 laying down multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, of the Research Fund for Coal and Steel ⁽⁷⁾,
- having regard to Council Decision 2003/78/EC of 1 February 2003 laying down the multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel ⁽⁸⁾,
- having regard to the 2002 ECSC Financial Report for the period from 1 January 2002 to 23 July 2002 ⁽⁹⁾ published by the Commission's Directorate-General for Economic and Financial Affairs (Financial Operations Service),
- having regard to the Court of Auditors' report on the financial statements of the ECSC as at 23 July 2002 ⁽¹⁰⁾, which includes the statement of assurance of 27 March 2003 concerning the reliability of the Commission's accounts pursuant to Article 45c(5) of the ECSC Treaty,
- having regard to the Court of Auditors' annual report and statement of assurance concerning the ECSC of 26 June 2003, in accordance with Article 45c(1) and (4) of the ECSC Treaty, for the financial year ended 23 July 2002, together with the Commission's replies (C5-0646/2003) ⁽¹¹⁾,
- having regard to the Commission communication entitled 'Financial statements of the ECSC in liquidation at 31 December 2002' ⁽¹²⁾,
- having regard to the Court of Auditors' Annual Report concerning the financial year 2002 ⁽¹³⁾, and in particular paragraphs 10.18 to 10.20 ('Loans and Borrowings of the ECSC in liquidation'),
- having regard to the Commission communication entitled 'Definitive Annual Accounts of the European Communities — Financial Year 2002' ⁽¹⁴⁾,

⁽¹⁾ Doc SN 4609/01 Rev. 1 of the Council of the European Union.

⁽²⁾ OJ C 247, 7.8.1998, p. 5.

⁽³⁾ OJ C 190, 7.7.1999, p. 1.

⁽⁴⁾ OJ L 79, 22.3.2002, p. 42.

⁽⁵⁾ OJ L 79, 22.3.2002, p. 60.

⁽⁶⁾ OJ L 29, 5.2.2003, p. 22.

⁽⁷⁾ OJ L 29, 5.2.2003, p. 25.

⁽⁸⁾ OJ L 29, 5.2.2003, p. 28.

⁽⁹⁾ ISBN 92-894-5199-8, Office for Official Publications of the European Union, 2003.

⁽¹⁰⁾ OJ C 127, 29.5.2003, p. 2.

⁽¹¹⁾ OJ C 224, 19.9.2003, p. 1.

⁽¹²⁾ OJ C 245, 11.10.2003, p. 2.

⁽¹³⁾ OJ C 286, 28.11.2003, p. 1.

⁽¹⁴⁾ OJ C 316, 29.12.2003, p. 1 (see p. 45).

Wednesday 21 April 2004

- having regard to Article 89(7) of the Financial Regulation of 21 December 1977⁽¹⁾ and to Article 147(1) of the Financial Regulation of 25 June 2002⁽²⁾, pursuant to which all Community institutions must take all appropriate measures to act on the observations accompanying the discharge decisions,
 - having regard to the Commission report of 29 October 2003 on the follow-up to the 2001 discharges (COM(2003) 651) and the follow-up (see Section III of that report) to the European Parliament resolution on discharge for the financial management of the ECSC for the financial year 2001 supplemented by a communication of 30 January 2004 from Commission DG BUDG to the Secretariat of the Committee on Budgetary Control,
 - having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
 - having regard to Articles 93 and 93a of and Annex V to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A5-0201/2004),
- A. whereas from 1 January to 23 July 2002 the ECSC continued to finance redeployment aid for workers and research grants from its operating budget — EUR 35 million for the former and EUR 72 million for the latter — plus further commitments of EUR 21 million for the Rechar Programme of social measures in the coal industry,
- B. whereas on 1 January 1998 the ECSC levy on coal and steel products, which was until then one of the main resources of the ECSC budget, was set by the Commission at 0 %,
- C. whereas, over the last few years, the ECSC's main sources of revenue have been the net profit on financial fixed assets, withdrawals from reserves and the cancellation of unused commitments,
- D. whereas the ECSC balance sheet total has been declining since 1997 and at 23 July 2002 posted a fall of EUR 839 million since 31 December 2001,
- E. whereas, chiefly because of value adjustments, net losses on financial operations rose from EUR 12 million to EUR 69 million,
- F. whereas interest received fell from EUR 215 million to EUR 91 million and net profit on financial operations fell from EUR 19 million to EUR 16 million, and income relating to the ECS operating budget, for the final ECSC financial year of just under seven months, fell from EUR 65 million to EUR 21 million,
- G. whereas bond-financed loans still outstanding on 23 July 2002 which are not covered by Member State guarantees were fully covered by the Guarantee Fund, and whereas those loans totalled EUR 529 million,
- H. whereas the ECSC-administered liquid assets stood at EUR 1 557 million at 23 July 2002,
- I. whereas the European Council resolution on growth and employment adopted on 16 and 17 June 1997 in Amsterdam and the above-mentioned Council resolution of 21 June 1999 called for the revenues from outstanding reserves to be used for a research fund for activities related to the coal and steel industries,
- J. whereas the sum remaining after deduction of the repayment of outstanding debt should be deemed to be EU budget 'own resources', which should yield annual interest of some EUR 60 million, to be allocated to research related to the coal and steel industries outside the framework programme for research,
- K. whereas the expiry of the ECSC Treaty on 23 July 2002 entailed the complete disappearance of the ECSC's legal regime and the dissolution of the Consultative Committee set up by that Treaty,

⁽¹⁾ OJ L 356, 31.12.1977, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

- L. whereas the annual report on the ECSC for the financial year ended 23 July 2002 was adopted by the Court of Auditors on 26 June 2003,
 - M. whereas the Court of Auditors concludes that the financial statements give a true and fair view of the assets and financial situation of the European Coal and Steel Community at 23 July 2002 and of the results of its operations for the year then ended,
 - N. whereas the Court of Auditors notes that, taken as a whole, the legality and regularity of the transactions underlying the ECSC financial statements for the financial year ended 23 July 2002 are sufficiently assured,
-
- 1. Acknowledges the achievements of all those who instituted and shaped the European Coal and Steel Community and who in so doing have made a major contribution to the peaceful unification of Europe;
 - 2. Calls, therefore, on the Commission, as it has done in previous years, to publish in the official languages an overview suitable for the general public of the work undertaken by the ECSC since it was established; acknowledges that the Commission has made a start on groundwork in this connection which must however promptly be taken further;
 - 3. Welcomes the progress made in connection with the cessation of ECSC activities, in particular the above-mentioned Decision of the representatives of the governments of the Member States, meeting within the Council, of 27 February 2002 which created the requisite legal basis for the 'ECSC in liquidation', pending the entry into force of the Treaty of Nice on 1 February 2003;
 - 4. Urges the Commission, as it has already done in previous years, to carry out without delay an overall assessment of research originally funded by the ECSC, in particular an assessment of the coal research programme and of the criteria proposed for the selection of new coal research projects, as has already been done for the steel sector; regards such assessments as an important basis for the activities of the new Research Fund for Coal and Steel;
 - 5. Notes that, over the last 15 years, the ECSC has disbursed some EUR 800 million to firms and institutes for applied research in the steel sector alone without, as a rule, and contrary to what is expressly provided for in ECSC research contracts, receiving its contractual share of proceeds from the patents this has made possible; calls on the Commission to enforce its legal claim to its share of proceeds from research funding by means of a registration procedure for patents and other suitable measures;
 - 6. Acknowledges a measure of progress in overcoming the security problems affecting the IT system used for ECSC research management; expects the Commission, however, to comply immediately with all the Court of Auditors' and external auditors' observations on the reliability of the IT system;
 - 7. Notes that all the loans outstanding after 23 July 2002 which are not covered by guarantees from a Member State are covered in full by the ECSC reserves and acknowledges the strategy adopted by the Commission for prudent financial management of the ECSC, and the 'ECSC in liquidation';
 - 8. Notes the progress made in reducing administrative costs reported in the document entitled 'Expiry of the ECSC Treaty: Impact on Administrative Costs of the Commission' (submitted to the Committee on Budgetary Control by DG BUDG on 30 January 2004), and calls on the Commission to inform Parliament at regular intervals of the outcome of its Annual Policy Strategy with regard to redeployment of staff members involved in administering the 'ECSC in liquidation';
 - 9. Welcomes the progress made in transferring the ECSC Consultative Committee's acquired knowledge to the European Economic and Social Committee (EESC) and, in particular, the fact that the EESC's new Consultative Commission on Industrial Change (CCIC), which comprises members of the ESC and delegates from the professional organisations representing the coal and steel sector and related sectors, was established on 24 October 2002 and held its inaugural meeting on 28 November 2002; invites the CCIC to publish the findings of its deliberations on a regular basis in the official languages;

Wednesday 21 April 2004

10. Welcomes the successful conclusion of the negotiations with the accession countries on the conditions for their participation in the new Research Fund for Coal and Steel, whereby the payment of their contributions, determined in accordance with the size of their mineral resources, will be staggered to take account of their respective economic situations, and calls on the Commission to give it regular progress reports on the implementation of the decisions taken as a result of those negotiations;

11. Calls on the Commission to continue to conduct a regular review of all outstanding dormant commitments and to cancel only amounts in respect of which it is unlikely that there will be any movement in the future;

12. Notes that the financial statements for the ECSC in liquidation as at 31 December 2002 were not published in the Official Journal until 11 October 2003; nonetheless welcomes the detailed and informative way in which they are set out, which should be the benchmark for subsequently published financial statements for the ECSC in liquidation, and calls on the Commission to ensure maximum transparency with regard to figures on trends in, and use of, ECSC assets and on revenue from them;

13. Expects the Court of Auditors, which has submitted no specific report on the financial statements for the ECSC in liquidation as at 31 December 2002, to carry out the necessary audits each year and to publish the results in the Official Journal;

14. Stresses that it will continue to keep an eye on the mandatory use of revenues from ECSC assets for the benefit of research in the coal and steel sector.

P5_TA(2004)0332

Development of the trans-European transport network *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council decision amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European transport network (5762/1/2004 – C5-0184/2004 – 2001/0229(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (5762/1/2004 – C5-0184/2004) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposals to Parliament and the Council (COM(2001) 544 ⁽³⁾ and COM(2003) 564 ⁽⁴⁾),
- having regard to the amended proposal (COM(2002) 542) ⁽⁵⁾,
- 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 (A5-0278/2004),

1. Approves the common position;
2. Notes that the act is adopted in accordance with the common position;

⁽¹⁾ Not yet published in the OJ.

⁽²⁾ OJ C 187 E, 7.8.2003, p. 130 and Texts Adopted, 11.3.2004, P5_TA(2004)0173.

⁽³⁾ OJ C 362 E, 18.12.2001, p. 205.

⁽⁴⁾ Not yet published in the OJ.

⁽⁵⁾ OJ C 20 E, 28.1.2003, p. 274.

Wednesday 21 April 2004

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.
-

P5_TA(2004)0333

Community surveys on agricultural holdings after enlargement *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings after enlargement (COM(2003) 605 – C5-0477/2003 – 2003/0234(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 605) ⁽¹⁾,
 - having regard to Articles 251(2) and 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0477/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A5-0194/2004),
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. Considers that the financial statement of the Commission, as amended, is compatible with the ceiling of heading 3 of the Financial Perspective 2000-2006, without restricting existing policies,
 4. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

P5_TC1-COD(2003)0234

Position of the European Parliament adopted at first reading on 21 April 2004 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 amending, as a result of enlargement, Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the Treaty concerning the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) Regulation (EEC) No 571/88⁽²⁾ provides for the Member States to be reimbursed up to a maximum amount per survey, as a contribution to expenses incurred.
- (2) In order to carry out the surveys on the structure of agricultural holdings, considerable funding will be required from the Member States and from the Community to meet the information requirements of the Community institutions.
- (3) In the light of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and with a view to conducting surveys on the structure of agricultural holdings in these new Member States in 2005 and 2007, it is appropriate to provide for a maximum Community contribution per survey; this adaptation is needed by reason of accession and has not been provided for in the Act of Accession.
- (4) This Regulation *lays down*, for the remainder of the programme, a financial framework *constituting the prime* reference within the meaning of point 33 of 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⁾, *for the budgetary authority during the annual budgetary procedure*,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 571/88 is hereby amended as follows:

- 1) The following indents shall be added to the first subparagraph of Article 14(1):

- EUR 25 000 for Malta,
- EUR 200 000 for Cyprus,

⁽¹⁾ European Parliament position of 21 April 2004.

⁽²⁾ OJ L 56, 2.3.1988, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC of the European Parliament and of the Council (OJ L 147, 14.6.2003, p. 25).

Wednesday 21 April 2004

- EUR 500 000 for Estonia and Slovenia
- EUR 700 000 for Slovakia
- EUR 1 100 000 for the Czech Republic, Latvia and Lithuania,
- EUR 2 000 000 for Hungary and Poland.'

2) In Article 14, the third subparagraph of paragraph 1 shall be replaced by the following:

'The financial framework for the implementation of this programme, including the appropriations necessary for the management of the Eurofarm project, shall be set at EUR 43,7 million for the period 2004-2006.

The amount for the period 2007-2009 will be fixed by the budgetary and legislative authority on a proposal from the Commission on the basis of the new financial perspective for the period commencing in 2007.

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.'

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Point 1 of Article 1 shall apply as from 1 May 2004.

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

P5_TA(2004)0334

Financial instrument for the Environment (LIFE) ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE) (COM(2003) 667 – C5-0527/2003 – 2003/0260(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 667) ⁽¹⁾,
- having regard to Articles 251(2) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0527/2003),
- 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 and the opinion of the Committee on Budgets (A5-0137/2004),

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

1. Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 3 of the financial perspective without restricting other policies;
 2. Approves the Commission proposal as amended;
 3. 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;
 4. Instructs its President to forward its position to the Council and the Commission.
-

P5_TC1-COD(2003)0260**Position of the European Parliament adopted at first reading on 21 April 2004 with a view to the adoption of European Parliament and Council regulation (EC) No .../2004 amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE)**

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,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the Opinion of the Committee of the Regions ⁽²⁾,

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

Whereas

- (1) The financial instrument for the environment, LIFE, as established by Regulation (EC) No 1655/2000 of the European Parliament and of the Council ⁽⁴⁾, is being implemented in phases the third of which will end on 31 December 2004.
- (2) Given the positive contribution of LIFE to the attainment of the objectives of Community policy on the environment and with a view to further contributing to the implementation, updating and development of Community environment policy and of environment legislation, in particular as regards the integration of the environment into other policies, and to sustainable development, the duration of the third phase should be extended until 31 December 2006.
- (3) A Sixth Community Environment Action Programme was adopted on 22 July 2002 by Decision No 1600/2002/EC of the European Parliament and of the Council ⁽⁵⁾. It is necessary to adapt Regulation (EC) No 1655/2000 to the objectives and priorities laid down in that Programme.
- (4) There is a need to bridge the gap between the expiry of the third phase of LIFE and the new, post-2006 financial perspectives, for a period of two years ending on 31 December 2006.

⁽¹⁾ OJ C 80, 30.3.2004, p. 57.

⁽²⁾ OJ C ...

⁽³⁾ Position of the European Parliament of 21 April 2004 (not yet published in the Official Journal).

⁽⁴⁾ OJ L 192, 28.7.2000, p. 1. Regulation as amended by Regulation (EC) No 788/2004 (OJ L 138, 30.4.2004, p. 17).

⁽⁵⁾ OJ L 242, 10.9.2002, p. 1.

Wednesday 21 April 2004

- (5) LIFE should be reinforced as a specific financial instrument, complementary to the Community Research Programmes and to the Structural Funds and Rural Development Programmes. Efforts should be made to encourage more efficient use of these Community financial instruments for the funding of elements of environment and nature projects. Appropriate measures should also be put in place to prevent the possibility of double funding.
- (6) The Communication entitled 'Developing an action plan for environmental technology' was adopted by the Commission on 25 March 2003. This Communication was followed by an Environmental Technology Action Plan adopted on 28 January 2004, which should serve as a reference for the guidelines for LIFE Environment.
- (7) The Court of Auditors' special report No 11/2003⁽¹⁾ examined the conception, management and implementation of LIFE. It is appropriate to have regard to the Court's recommendations.
- (8) On 1 May 2004 ten new Member States joined the European Union and this should be reflected accordingly in the budget allocation to LIFE.
- (9) The exploitation and dissemination of results should be improved and the amount allocated in the budget for that purpose should be increased.
- (10) Projects still ongoing at the end of 2006 should continue to be monitored and audited.
- (11) In its judgment of 21 January 2003⁽²⁾ the Court of Justice of the European Communities annulled Article 11(2) of Regulation (EC) No 1655/2000. The Court declared that 'the effects of Article 11(2) of Regulation (EC) No 1655/2000 are to be fully maintained until the Parliament and the Council adopt new provisions concerning the committee procedure to which the measures for the implementation of that Regulation are subject'.
- (12) In accordance with Article 233 of the Treaty, the institutions whose act has been declared void are required to take the necessary measures to comply with the judgment of the Court of Justice.
- (13) The measures that the Commission is empowered to adopt under the implementing powers conferred on it by Regulation (EC) No 1655/2000 are management measures relating to the implementation of a programme with substantial budgetary implications within the meaning of Article 2(a) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽³⁾. Those measures should therefore be adopted in accordance with the management procedure provided for in Article 4 of that Decision, without prejudice to the committee procedure to be chosen for any further development of LIFE or a financial instrument exclusively in the environmental field.
- (14) This Regulation lays down, for the entire duration of the programme, a financial framework constituting the prime reference, within the meaning of point 33 of 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⁽⁴⁾, for the budgetary authority during the annual budgetary procedure.

⁽¹⁾ OJ C 61, 10.3.2004, p. 1.

⁽²⁾ Case C-378/00 *Commission v European Parliament and Council* [2003] ECR I-937.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁴⁾ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC of the European Parliament and of Council (OJ L 147, 14.6.2003, p. 25).

Wednesday 21 April 2004

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1655/2000 is amended as follows:

1) Article 3 shall be amended as follows:

(a) in paragraph 3:

(i) point (a) shall be replaced by the following:

'(a) 50 % for nature conservation projects, 100 % of eligible costs excluding overheads and durable goods for accompanying measures pursuant to paragraph 2(b)(i) and (ii) and 100 % of costs for accompanying measures pursuant to paragraph 2(b)(iii);'

(ii) the following point shall be added: c) the salary costs of a civil servant shall be considered eligible only to the extent that they relate to the cost of activities that the relevant public authority would not carry out if the project concerned were not undertaken.

'(c) The salary costs of a civil servant shall be considered eligible only to the extent that they relate to the costs of activities that the relevant public authority would not carry out if the project concerned were not undertaken.'

(b) the following paragraph shall be inserted:

'3a. The grant of assistance in respect of a project that involves the acquisition of land shall be subject to the condition that the land purchased is reserved in the long term for uses of land consistent with the objective of LIFE-nature set out in paragraph 1. Member States shall, by way of transfer or otherwise, ensure the long-term reservation of such land for nature conservation purposes.'

(c) in paragraph 7 the second subparagraph shall be replaced by the following:

'In accordance with Article 116 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities^(*), a decision shall be adopted by the Commission on the projects which have been accepted and grant agreements shall be concluded with the beneficiaries laying down the amount of financial assistance, the financial procedures and controls, and the specific technical conditions of the project approved.'

(*) OJ L 248, 16.9.2002, p. 1.'

(d) paragraph 8 shall be replaced by the following:

'8. At the Commission's initiative:

(a) accompanying measures to be financed pursuant to paragraph 2(b)(i) and (ii) shall, after consultation of the committee mentioned in Article 21 of Directive 92/43/EEC, be the subject of calls for proposal. Member States may submit proposals on accompanying measures to the Commission,

(b) accompanying measures to be financed pursuant to paragraph 2(b)(iii) shall be the subject of calls for tender. All calls for tender shall be published in the Official Journal of the European Union where the specific criteria to be met shall be set out.'

2) Article 4 shall be amended as follows:

(a) in paragraph 3:

(i) the fourth subparagraph shall be replaced by the following:

'The rate of Community financial support shall be 100 % of eligible costs excluding overheads and durable goods for accompanying measures pursuant to paragraph 2(c)(i) and 100 % of costs for accompanying measures pursuant to paragraph 2(c)(ii).'

(ii) the following subparagraph shall be added:

Wednesday 21 April 2004

'The salary costs of a civil servant shall be considered eligible only to the extent that they relate to the cost of activities that the relevant public authority would not carry out if the project concerned were not undertaken.'

(b) paragraph 4 shall be replaced by the following:

'4. As far as demonstration projects referred to in paragraph 2(a) are concerned, guidelines shall be established by the Commission, in accordance with the procedure referred to in Article 11(2), and published in the Official Journal of the European Union.

Those guidelines shall indicate the priority areas and objectives for demonstration projects with an explicit reference to the priorities set out in Decision No 1600/2002/EC (*).

The guidelines shall ensure that LIFE-Environment is complementary to the Community Research Programmes and to the Structural Funds and Rural Development Programmes.

The Commission shall also establish guidelines on preparatory projects referred to in paragraph 2(b). It shall publish such guidelines in the Official Journal of the European Union and inform the committee referred to in Article 11(1) of their publication.

(*) OJ L 242, 10.9.2002, p. 1.'

(c) in paragraph 6, points (d) and (e) shall be replaced by the following:

'(d) being capable of promoting the wide application and dissemination of practices, technologies and/or products conducive to environmental protection;

(e) aiming at developing and transferring innovative technologies or methods which can be used in identical or similar situations, particularly in new Member States;'

(d) paragraph 8 shall be replaced by the following:

'8. At the Commission's initiative:

(a) projects to be financed pursuant to paragraph 2(b) and accompanying measures to be financed pursuant to paragraph 2(c)(i) shall, after consultation of the committee mentioned in Article 11(1), be the subject of calls for proposal. Member States may submit proposals for projects to be financed pursuant to paragraph 2(b) and accompanying measures to be financed pursuant to paragraph 2(c)(i) to the Commission;

(b) accompanying measures to be financed pursuant to paragraph 2(c)(ii) shall be the subject of calls for tender. All calls for tender shall be published in the Official Journal of the European Union where the specific criteria to be met shall be set out.'

(e) paragraph 11 shall be replaced by the following:

'11. In accordance with Article 116 of Regulation (EC, Euratom) No 1605/2002, a decision shall be adopted by the Commission on the projects which have been accepted and grant agreements shall be concluded with the beneficiaries laying down the amount of financial assistance, the financial procedures and controls, and the specific technical conditions of the project approved.'

3) in Article 5, paragraph 9, shall be replaced by the following:

'9. At the Commission's initiative, accompanying measures to be financed under paragraph 2(b) shall be the subject of calls for tender published in the Official Journal of the European Union where the specific criteria to be met shall be set out.'

Wednesday 21 April 2004

- 4) in Article 7, the title and paragraph 1 shall be replaced by the following:

‘Article 7

Consistency and complementarity between financial instruments

1. Without prejudice to the conditions for accession candidate countries set out in Article 6, projects receiving aid provided for under the Structural Funds or other Community budget instruments shall not be eligible for financial assistance under this Regulation. The Commission shall ensure that applicants' attention is drawn to the fact that they cannot cumulate subsidies from different Community funds. Appropriate measures shall be put in place to prevent the possibility of double funding.

The Commission and Member States shall inform applicants of the different Community financial instruments available for the funding of elements of environment and nature projects.’

- 5) Article 8 shall be amended as follows:

- (a) in paragraph 1, the following subparagraph shall be added:

‘The third phase shall be extended by two years until 31 December 2006. The financial framework for the implementation of this Regulation is hereby set at EUR 317,2 million. The budgetary authority shall authorise annual appropriations in the context of the annual budgetary procedure and within the limits of the applicable financial perspective.’

- (b) in paragraph 3, the second subparagraph shall be replaced by the following:

‘For the period 1 January 2005 to 31 December 2006, the accompanying measures shall be limited to 6 % of the available appropriations.’

- 6) Article 9 shall be amended as follows:

- (a) in paragraph 1, the following subparagraph shall be added:

‘The Commission shall ensure that the results of all funded projects are disseminated to the general public and shall further demonstrate how the skills and experience gained may be reproduced elsewhere.’

- (b) the following paragraph shall be added:

‘6. The Commission shall publish annually a complete list of projects financed including a short description and a summary of funds expended in each case.’

- 7) Article 11(2) shall be replaced by the following:

‘2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period referred to in Article 4(3) of Decision 1999/468/EC shall be set at three months’

- 8) Article 12 shall be replaced by the following:

‘Article 12

Evaluation of the third phase and continuation of LIFE

1. Not later than 30 September 2005, the Commission shall submit to the European Parliament and the Council:

- (a) a report updating the mid-term review submitted in November 2003 and evaluating the implementation of this Regulation, its contribution to the development of Community environmental policy, and the use made of the appropriations; and

Wednesday 21 April 2004

(b) if appropriate, a proposal for the further development of LIFE or a financial instrument exclusively in the environmental field that, inter alia, shall take account of the recommendations of the review of LIFE, to apply from 2007 onwards.

2. Following the Commission's adoption of such a proposal, the European Parliament and the Council, acting in accordance with the Treaty, shall decide no later than 1 May 2006 on the implementation of that financial instrument, as from 1 January 2007.

3. The amount needed within the financial framework to provide for monitoring and auditing measures in the period following 31 December 2006 shall be deemed to be confirmed only if it is consistent with the new financial perspectives commencing in 2007.'

Article 2

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union.

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

P5_TA(2004)0335

Stamping of travel documents *

European Parliament legislative resolution on the proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the common manual to this end (COM(2003) 664 – C5-0580/2003 – 2003/0258(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2003) 664) ⁽¹⁾,
- having regard to Article 62(2)(a) of the EC Treaty,
- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0580/2003),
- having regard to the Protocol integrating the Schengen 'acquis' into the framework of the European Union,
- having been informed by the Council that the Republic of Ireland and the United Kingdom of Great Britain and Northern Ireland do not wish to participate in adopting and applying the measure concerned in the Commission proposal,

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

- having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0229/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. 5 Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

TITLE

Proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the *common manual* to this end

Proposal for a Council regulation laying down the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third-country nationals when they cross the external borders of the Member States and amending the convention implementing the Schengen agreement and the **Common Manual for External Borders** to this end

(This amendment applies to the whole of the legislative text; the entire text must be adjusted accordingly.)

Amendment 2

RECITAL 1

(1) The European Council held in Seville on 21 and 22 June 2002 called for closer co-operation in combating illegal immigration and **called on** the Commission and the Member States to take operational steps to ensure an equivalent level of control and surveillance **of external borders**.

(1) The European Council held in Seville on 21 and 22 June 2002 called for closer co-operation in combating illegal immigration and **requested** the **Council, the** Commission and the Member States, **each within its respective sphere of responsibility**, to take operational steps to ensure **that, among themselves, Member States achieve coordinated, integrated management of the external borders and** an equivalent level of control and surveillance.

Amendment 3

RECITAL 1a (new)

(1a) Given that it is in the shared interests of the Member States to introduce more effective arrangements for managing the external borders, the Thessaloniki European Council of 19 and 20 June 2003 called on the Commission to submit proposals on the recasting of the Common Manual for External Borders, including the stamping of travel documents of third-country nationals.

Amendment 4

RECITAL 2

(2) The provisions **of** the convention implementing the Schengen Agreement of 14 June 1985, and of the **common**

(2) The provisions **concerning the crossing of external borders set out in** the convention implementing the Schengen

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

manual concerning the crossing of external borders lack **clarity and** precision as regards the obligation to affix stamps to the travel documents of third-country nationals when they cross external borders. Consequently, they lead to divergent practices in the Member States and make it difficult to check whether the duration of short stays for such third-country nationals on the territory of the Member States is adhered to, namely a maximum of three months in any six-month period.

Agreement of 14 June 1985, **signed in Schengen on 19 June 1990, provide that an equal degree of control shall be exercised at** external borders. **However, those provisions** lack precision as regards the obligation to affix stamps to the travel documents of third-country nationals when they cross external borders. Consequently, they lead to divergent practices in the Member States and make it difficult to check whether the duration of short stays for such third-country nationals on the territory of the Member States is adhered to, namely a maximum of three months in any six-month period.

Amendment 5

RECITAL 2a (new)

(2a) The Common Manual for External Borders contains provisions on the stamping of travel documents of third-country nationals when they cross the external borders of Member States that have adopted the Schengen 'acquis'. Those provisions should be amended and brought together in a European Community legal instrument that is binding in its entirety.

Amendment 6

RECITAL 2b (new)

(2b) On 19 December 2002 the Justice and Home Affairs Council adopted conclusions on external border checks and combating illegal immigration and called on the Commission to clarify the existing rules of the Schengen 'acquis' in this area, to put forward relevant amendments and to consider the possibility of greater harmonisation of the procedures to be applied during border checks.

Amendment 8

RECITAL 5

(5) The obligation on the Member States to stamp third-country nationals' travel documents systematically when they enter the territory of the Member States and the limitation regarding the circumstances in which measures relaxing checks on persons at external borders may be adopted provide the possibility of presuming, in the absence of a stamp on such travel documents, that their holder is in an illegal situation as regards the condition of the duration of a short stay. However, it must be possible to overturn this presumption by any form of proof that can demonstrate the legality of the duration of the stay.

(5) The obligation on the Member States to stamp third-country nationals' travel documents systematically when they enter the territory of the Member States **by crossing the external borders of the Schengen area** and the limitation regarding the circumstances in which measures relaxing checks on persons at external borders may be adopted provide the possibility of presuming, in the absence of a stamp on such travel documents, that their holder is in an illegal situation as regards the condition of the duration of a short stay. However, it must be possible to overturn this presumption by any form of **documentary** proof that can demonstrate the legality of the duration of the stay.

Amendment 9

RECITAL 7

(7) The **convention implementing the Schengen Agreement** and the **common manual** must be amended accordingly.

(7) The Schengen Convention and the **Common Manual for External Borders** should be amended accordingly.

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 10

RECITAL 9

(9) As far as Iceland and Norway are concerned, this Regulation constitutes a development of the provisions of the Schengen 'acquis', as provided for in the Agreement **concluded** by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen 'acquis' falling within the area referred to in Article 1(B) of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement.

(9) As far as Iceland and Norway are concerned, this Regulation constitutes a development of the provisions of the Schengen 'acquis', as provided for in the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway **and signed in Brussels on 18 May 1999**, concerning the association of those two States with the implementation, application and development of the Schengen 'acquis' falling within the area referred to in Article 1(B) of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement.

Amendment 11

RECITAL 10

(10) This Regulation constitutes a development of the provisions of the Schengen 'acquis' in which the United Kingdom is not participating, in accordance with Council Decision 2000/365/EC of 29 May 2000 on the request by the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen 'acquis'. Consequently, the United Kingdom is not taking part in its adoption and is not bound by it or subject to its application.

(10) This Regulation constitutes a development of the provisions of the Schengen 'acquis' in which the United Kingdom **of Great Britain and Northern Ireland** is not participating, in accordance with Council Decision 2000/365/EC of 29 May 2000 on the request by the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen 'acquis'. Consequently, the United Kingdom **of Great Britain and Northern Ireland** is not taking part in its adoption and is not bound by it or subject to its application.

Amendment 12

ARTICLE 2, POINT 1

Article 6, paragraph 2, point (e) (Convention implementing the Schengen Agreement)

(e) if in exceptional and unforeseen circumstances requiring immediate measures such checks cannot be carried out, priorities must be set. In that case, entry checks shall as a rule take priority over exit checks. The Member State concerned must inform the Council and Commission accordingly **as quickly as possible**.

(e) if in exceptional and unforeseen circumstances requiring immediate measures such checks cannot be carried out, priorities must be set. In that case, entry checks shall as a rule take priority over exit checks. The Member State concerned must **immediately** inform the Council and Commission **Secretariats of the unforeseen measures taken**.

Amendment 13

ARTICLE 2, POINT 3

Article 23a, paragraph 2 (Convention implementing the Schengen Agreement)

2. This presumption **may** be overturned **by the third-country national by demonstrating by any means that he** has respected the condition relating to the duration of short stay. **To this end, he may provide evidence such as transport tickets, proof of his presence abroad or declarations pursuant to Articles 22 and 45.**

2. This presumption **and any legal step that may ensue from it must** be overturned **without delay if the third-country national demonstrates by documentary evidence that he/she** has respected the condition relating to the duration of a short stay.

Amendment 14

ARTICLE 2, POINT 3

Article 23a, paragraph 3 (Convention implementing the Schengen Agreement)

3. In the event of the presumption aimed at paragraph 1 not being overturned, the competent authorities **may** apply the provisions of Article 23(3)(4) and (5).

3. In the event of the presumption aimed at paragraph 1 not being overturned, the competent authorities **shall** apply the provisions of Article 23(3)(4) and (5).

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 15

ARTICLE 3, INTRODUCTION and POINT 1

Point 1.3.5 (Common Manual)

Part II of the **common manual** is amended as follows:

1. Point 1.3.5 is replaced by the following:

Checks at land borders **may** be relaxed as a result of exceptional and unforeseen circumstances. ***This will be the case where unforeseen events lead to such intensity of traffic that the delay in the time taken to reach checking posts becomes excessive, and all resources have been exhausted as regards staff, facilities and organisation.***

Part II of the **Common Manual for External Borders** is amended as follows:

1. Point 1.3.5 is replaced by the following:

Checks at land, **sea or air** borders **shall** be relaxed as a result of **uniformly defined** exceptional and unforeseen circumstances.

Amendment 16

ARTICLE 3, POINT 3

Point 2.1.1, introductory part (Common Manual)

When the territory of a Member State is entered, a stamp shall be affixed to: [...].

When the territory of a Member State is entered, **if an external border is crossed**, a stamp shall be affixed to: [...].

Amendment 17

ARTICLE 3, POINT 5

Point 3.4.2.3, paragraph 3 (Common Manual)

Even in the event of a relaxation of the checks, the officials responsible must proceed in accordance with point 1.3.5.4.

Even in the event of a relaxation of the checks **due to exceptional circumstances**, the officials responsible must proceed in accordance with point 1.3.5.4.

Amendment 18

ARTICLE 4

The Member States shall take all appropriate measures to inform third-country nationals of the implementation of this Regulation.

The Member States, **the Commission and the Council** shall take all appropriate measures to inform third-country nationals of the implementation of this Regulation.

P5_TA(2004)0336

European Monitoring Centre for Drugs and Drug Addiction *

European Parliament legislative resolution on the proposal for a Council regulation on the European Monitoring Centre for Drugs and Drug Addiction – (recast) (COM(2003) 808 – C5-0060/2004 – 2003/0311(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 808) ⁽¹⁾,
- having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0060/2004),

⁽¹⁾ Not yet published in the OJ.

Wednesday 21 April 2004

- having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0248/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
 5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and the Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

Recital 4

(4) The drug phenomenon comprises many complex and closely interwoven aspects which cannot easily be dissociated; therefore, the Centre should be entrusted with the task of furnishing overall information which **will help to provide the Community and its Member States with an overall view of the drug and drug addiction phenomenon. This task** should not prejudice the allocation of powers between the Community and its Member States with regard to the legislative provisions concerning drug supply and demand.

(4) The drug phenomenon comprises many complex and closely interwoven aspects which cannot easily be dissociated; therefore, the Centre should be entrusted with the task of furnishing overall information which should not prejudice the allocation of powers between the Community and its Member States with regard to the legislative provisions concerning drug supply and demand.

Amendment 2

Recital 7a (new)

(7a) The Centre should also be entrusted with the task of evaluating the different drug policies in the Member States in order to facilitate the dissemination of best practice.

Amendment 3

Recital 12

(12) Since the European Parliament is the discharge authority and in order to avoid any conflict of interests during the annual discharge procedure, it is preferable that the European Parliament no longer be represented on the EMCDDA's Management Board.

Deleted

Amendment 4

Recital 13

(13) In view of its size, the Centre's Management Board should be assisted by a Steering Committee.

Deleted

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 5

Recital 14

(14) In order to ensure that the European Parliament is well informed of the state of the drugs phenomenon in the European Union, **it must be able to question the Centre's Director.**

(14) In order to ensure that the European Parliament is **regularly and** well informed of the state of the drugs phenomenon in the European Union, **two Members of the European Parliament should represent it on the Management Board.**

Amendment 6

Recital 16

(16) An external evaluation of the EMCDDA's work should be conducted **on a regular basis**, and this Regulation should be adapted accordingly, if needed.

(16) An external evaluation of the EMCDDA's work **and the Reitox focal points** should be conducted **every five years**, and this Regulation should be adapted accordingly, if needed.

Amendment 7

Recital 18a (new)

(18a) There already exist national, European and international organisations and bodies supplying information of this kind, and the Centre should be able to carry out its tasks in close cooperation with them.

Amendment 8

Article 2, point (b), point (i)

(i) ensuring improved comparability, objectivity and reliability of data at European level by establishing indicators and common criteria of a non-binding nature, compliance with which may be recommended by the Centre, with a view to greater uniformity of the measurement methods used by the Member States and the Community; in particular, the Centre shall devise tools and methods for evaluating drugs policies and strategies implemented in the European Union;

(i) ensuring improved comparability, objectivity and reliability of data at European level by establishing indicators and common criteria of a non-binding nature, compliance with which may be recommended by the Centre, with a view to greater uniformity of the measurement methods used by the Member States and the Community; in particular, the Centre shall devise tools and methods for evaluating drugs policies and strategies implemented in the European Union **in order to advise Member States on best practice;**

Amendment 9

Article 2, point (ba) (new)

(ba) Evaluation of drug policies and trends in consumption

(i) **evaluating systematically national drug policies and strategies, including legislation, on the basis of the data collected and established indicators, in order to facilitate policy-making and the dissemination of best practice,**

(ii) **evaluating trends in consumption and supply.**

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 10

Article 2, point (c), point (iii)

(iii) ensuring wide dissemination of reliable non-confidential data; on the basis of data which it gathers the Centre shall publish a yearly report on the state of the drugs problem.

(iii) ensuring wide dissemination of reliable non-confidential data; on the basis of data which it gathers the Centre shall publish a yearly report on the state of the drugs problem, **including an assessment of trends in consumption.**

Amendment 11

Article 2, point (d), point (iiia) (new)

(iiia) contributing to cooperation with third countries as provided for in the agreements concluded between them and the Community on the basis of Article 300 of the Treaty.

Amendment 12

Article 5, paragraph 5

5. Without prejudice to the responsibilities of the national focal points, the Centre may have recourse to additional expertise and sources of information, especially transnational networks working in the field of drugs and drug addiction.

5. Without prejudice to the responsibilities of the national focal points **and in close collaboration with them**, the Centre may have recourse to additional expertise and sources of information, especially transnational networks working in the field of drugs and drug addiction.

Amendment 13

Article 6, paragraph – 1 (new)

– 1. Regulation (EC) No 45/2001 shall apply to the processing of personal data by the Centre.

Amendment 14

Article 7, paragraph 2

2. The Management Board shall adopt the arrangements for implementing Regulation (EC) No 1049/2001 **by 1 April 2004 at the latest.**

2. The Management Board shall adopt the arrangements for implementing Regulation (EC) No 1049/2001 **within four months of the entry into force of this Regulation.**

Amendment 15

Article 7, point 3a (new)

3a. Any natural or legal person may write to the Centre in one of the languages mentioned in Article 314 of the Treaty and have an answer in the same language.

Amendment 16

Article 8

Legal status

The Centre shall have legal personality. It shall enjoy, in each Member State, the most extensive legal status granted to legal persons under their laws; in particular, it may purchase or dispose of movable and immovable property and may institute legal proceedings.

Legal status **and location**

The Centre **is a body of the Community.** It shall have legal personality. It shall enjoy, in each Member State, the most extensive legal status granted to legal persons under their laws; in particular, it may purchase or dispose of movable and immovable property and may institute legal proceedings.

The seat of the Centre shall remain in Lisbon.

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 17

Article 9, paragraph 1, subparagraph 1

1. The Centre shall have a Management Board consisting of one representative from each Member State, **one representative from each country which has concluded an agreement pursuant to Article 17 of this Regulation, and** two representatives from the Commission.

1. The Centre shall have a Management Board consisting of one representative from each Member State, two representatives from the Commission **as well as two representatives of the European Parliament, who shall be Members thereof.**

One representative from each country which has concluded an agreement pursuant to Article 17 may participate in the meetings of the Management Board as an observer.

Amendment 18

Article 9, paragraph 1, subparagraph 2

Each member of the Management Board may be **assisted or** represented by an alternative member. In the absence of a full member who has the right to vote, the alternative member may exercise that right. The Management Board may call in as non-voting observers representatives of international organisations with which the Centre cooperates in accordance with Article 16.

Each member of the Management Board may be represented by an alternative member. In the absence of a full member who has the right to vote, the alternative member may exercise that right. The Management Board may call in as non-voting observers representatives of international organisations with which the Centre cooperates in accordance with Article 16.

Amendment 19

Article 9, paragraph 2, subparagraph 1

2. The chairman and vice-chairman of the Management Board shall be elected by its members for a three-year period: their terms of office shall be renewable once. The chairman and vice-chairman shall take part in the voting. Each member of the Management Board shall have one vote, except for the **members** representing the countries which have concluded agreements pursuant to Article 17 of this Regulation.

2. The chairman and vice-chairman of the Management Board shall be elected by its members for a three-year period: their terms of office shall be renewable once. The chairman and vice-chairman shall take part in the voting. Each member of the Management Board shall have one vote, except for the **observers** representing the countries which have concluded agreements pursuant to Article 17.

Amendment 20

Article 9, paragraph 3

3. The Management Board shall adopt a three-year work programme on the basis of a draft submitted by the Centre's Director, after consulting the Scientific Committee and seeking the opinions of the Commission and of the Council, and shall forward it to the European Parliament, the Council and the Commission.

3. The Management Board shall adopt a three-year work programme on the basis of a draft submitted by the Centre's Director, after consulting the Scientific Committee and seeking the opinions of the Commission, **of the European Parliament** and of the Council, and shall forward it to the European Parliament, the Council and the Commission.

Amendment 21

Article 10

Article 10

Deleted

Steering Committee

The Management Board shall be assisted by a Steering Committee. The Steering Committee shall be made up of the chairman, the vice-chairman, one of the Commission representatives and three representatives of the other members of the Management Board. The latter shall be elected by the Management Board for a period of three years.

The Steering Committee shall meet at least twice a year and whenever necessary to prepare the decisions of the Management Board and to assist and advise the Director. It shall adopt its decisions unanimously.

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 22

Article 11, paragraph 1, subparagraph 1

1. The Centre shall be headed by a Director appointed by the Management Board on a proposal from the Commission **for a five-year period, which shall be renewable.**

1. The Centre shall be headed by a Director appointed by the Management Board on a proposal from the Commission. **The term of office shall be five years and shall be renewable once.**

The Commission shall propose candidates for the post of the Director on the basis of a list drawn up after an open competition, following the publication of a call for expression of interest in the Official Journal of the European Union and in one major newspaper in every Member State. The Director shall be appointed on the grounds of merit, documented administrative and management skills and relevant experience in the fields of activity of the Centre.

Amendment 23

Article 11, paragraph 1, subparagraph 3, indent 8

— (h) **regular** assessment of the Centre's work.

— (h) **annual** assessment of the Centre's work.

Amendment 24

Article 13, paragraph 2, subparagraph 1

2. The Scientific Committee shall consist of at most 18 well-known scientific figures appointed in view of their scientific excellence and independence by the Management Board, **which** shall ensure that the specialist fields of the Scientific Committee's members cover all scientific fields linked to the problems of drugs and drug addiction.

2. The Scientific Committee shall consist of at most 18 well-known scientific figures appointed in view of their scientific excellence and independence by the Management Board, **following the publication of a call for expression of interest in the Official Journal of the European Union and in one major newspaper in every Member State. The selection procedure** shall ensure that the specialist fields of the Scientific Committee's members cover all scientific fields linked to the problems of drugs and drug addiction.

Amendment 25

Article 17, paragraph 1a (new)

1a. The Centre shall contribute to cooperation with third countries as provided for in the agreements concluded between them and the Community on the basis of Article 300 of the Treaty.

Amendment 26

Article 23

An external evaluation of the Centre's work shall be conducted every five years. The Commission shall forward, if appropriate, to the European Parliament and to the Council proposals to modify the Regulation on the Centre.

An external evaluation of the Centre's work shall be conducted every five years. **It shall include an evaluation of the Reitox national focal points. The evaluation report shall be sent to the European Parliament, the Commission and the Council.** The Commission shall forward, if appropriate, to the European Parliament and to the Council proposals to modify the Regulation on the Centre.

Wednesday 21 April 2004

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 27

Article 23a (new)

Article 23a

Working languages

The Centre shall determine its internal working languages.

Amendment 28

Annex I, point A, paragraph 2, points 1 to 4

(1) monitoring the state of the drugs problem, in particular using epidemiological or other indicators, and monitoring emerging trends;	(1) monitoring the state of the drugs problem, in particular using epidemiological or other indicators, and monitoring emerging trends, including poly-use of drugs ;
(2) monitoring the solutions applied to drugrelated problems;	(2) monitoring the solutions applied to drugrelated problems and evaluating the measures in order to identify best practice ;
(3) assessing the risks of new synthetic drugs and maintaining a rapid information system with regard to their use;	(3) assessing the risks of new synthetic drugs and maintaining a rapid information system with regard to their use;
(4) monitoring national and Community policies and their impact on the drugs phenomenon.	(4) monitoring and evaluating national and Community policies and their impact on the drugs phenomenon.

P5_TA(2004)0337

2002 discharge: section III of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Commission) (SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC))

The European Parliament,

- having regard to the definitive annual accounts of the European Communities for the financial year 2002 – Volume I – Consolidated statements on budgetary implementation and consolidated financial statements (SEC(2003) 1104 – C5-0564/2003, SEC(2003) 1105 – C5-0565/2003) ⁽¹⁾,
- having regard to the annual report of the Court of Auditors concerning the financial year 2002, accompanied by the replies of the institutions audited (C5-0583/2003) ⁽²⁾, and the special reports of the Court of Auditors,
- having regard to the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty (C5-0583/2003) ⁽³⁾,
- having regard to the Council recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 274, 275 and 276 of the EC Treaty and Articles 179a and 180b of the Euratom Treaty,

⁽¹⁾ OJ C 316, 29.12.2003, p.1.

⁽²⁾ OJ C 286, 28.11.2003, p. 1.

⁽³⁾ OJ C 286, 28.11.2003, p. 12.

Wednesday 21 April 2004

- having regard to Article 3 of the Council Decision 2003/76/EC of 1 February 2003 establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel ⁽¹⁾,
- having regard to Annex 1(3) to the Decision 2002/234/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, of 27 February 2002 on the financial consequences of the expiry of the ECSC Treaty and on the research fund for coal and steel ⁽²⁾,
- having regard to the Financial Regulation of 21 December 1977, and in particular Article 89 thereof, and to the Financial Regulation of 25 June 2002 ⁽³⁾, in particular Articles 145 to 147 thereof,
- having regard to Article 93 of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control and the opinions of the other committees concerned (A5-0200/2004),

A. whereas under Article 274 of the EC Treaty, the Commission implements the budget on its own responsibility, taking account of the principle of sound financial management,

1. Grants discharge to the Commission in respect of the implementation of the general budget of the European Union for the 2002 financial year;
2. Records its comments in the accompanying resolution;
3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors and the European Investment Bank, and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ L 29, 5.2.2003, p. 22.

⁽²⁾ OJ L 79, 22.3.2002, p. 42.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

2.

European Parliament decision closing the accounts in respect of the implementation of the general budget of the European Union for the 2002 financial year (Commission) (SEC(2003) 1104 — C5-0564/2003 — 2003/2210(DEC))

The European Parliament,

- having regard to the general budget of the European Union for 2002,
- having regard to the definitive annual accounts of the European Communities for the financial year 2002 — Volume I — Consolidated statements on budgetary implementation and consolidated financial statements (SEC(2003) 1104 — C5-0564/2003, SEC(2003) 1105 — C5-0565/2003) ⁽¹⁾,
- having regard to the annual report of the Court of Auditors concerning the financial year 2002, accompanied by the replies of the institutions audited (C5-0583/2003) ⁽²⁾, and the special reports of the Court of Auditors,
- having regard to the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty (C5-0583/2003) ⁽³⁾,
- having regard to the Council recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 274, 275 and 276 of the EC Treaty and Articles 179a and 180b of the Euratom Treaty,

⁽¹⁾ OJ C 316, 29.12.2003, p. 1.

⁽²⁾ OJ C 286, 28.11.2003, p. 1.

⁽³⁾ OJ C 286, 28.11.2003, p. 12.

Wednesday 21 April 2004

- having regard to Article 3 of the Council Decision 2003/76/EC of 1 February 2003 establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel ⁽¹⁾,
- having regard to Annex 1(3) to the Decision 2002/234/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, of 27 February 2002 on the financial consequences of the expiry of the ECSC Treaty and on the research fund for coal and steel ⁽²⁾,
- having regard to the Financial Regulation of 21 December 1977, and in particular Article 89 thereof, and to the Financial Regulation of 25 June 2002 ⁽³⁾, in particular Articles 145 to 147 thereof,
- having regard to Article 93 of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control and the opinions of the other committees concerned (A5-0200/2004),

A. whereas pursuant to Article 275 of the EC Treaty, responsibility for drawing up the accounts lies with the Commission,

1. Approves the closure of the accounts in respect of the implementation of the general budget for the 2002 financial year;

2. Instructs its President to forward this decision to the Council, the Commission, the Court of Justice, the Court of Auditors and the European Investment Bank, and to have it published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ L 29, 5.2.2003, p. 22.

⁽²⁾ OJ L 79, 22.3.2002, p. 42.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

3.

European Parliament resolution accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Commission) (SEC(2003) 1104 – C5-0564/2003 – 2003/2210(DEC))

The European Parliament,

- having regard to the general budget of the European Union for 2002,
- having regard to the definitive annual accounts of the European Communities for the financial year 2002 – Volume I – Consolidated statements on budgetary implementation and consolidated financial statements (SEC(2003) 1104 – C5-0564/2003, SEC(2003) 1105 – C5-0565/2003) ⁽¹⁾,
- having regard to the annual report of the Court of Auditors concerning the financial year 2002, accompanied by the replies of the institutions audited (C5-0583/2003) ⁽²⁾, and the special reports of the Court of Auditors,
- having regard to the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty ⁽³⁾ (C5-0583/2003),
- having regard to the Council recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 274, 275 and 276 of the EC Treaty and Articles 179a and 180b of the Euratom Treaty,

⁽¹⁾ OJ C 316, 29.12.2003, p. 1.

⁽²⁾ OJ C 286, 28.11.2003, p. 1.

⁽³⁾ OJ C 286, 28.11.2003, p. 12.

Wednesday 21 April 2004

- having regard to Article 3 of the Council Decision 2003/76/EC of 1 February 2003 establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel ⁽¹⁾,
 - having regard to Annex 1(3) to the Decision 2002/234/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, of 27 February 2002 on the financial consequences of the expiry of the ECSC Treaty and on the research fund for coal and steel ⁽²⁾,
 - having regard to the Financial Regulation of 21 December 1977, and in particular Article 89 thereof, and to the Financial Regulation of 25 June 2002 ⁽³⁾, in particular Articles 145 to 147 thereof,
 - having regard to Article 93 of and Annex V to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinions of the other committees concerned (A5-0200/2004),
- A. whereas implementation of EU policy is characterised mainly by 'shared management' between the Commission and the Member States,
- B. whereas 'implementation tasks shall be delegated to Member States' where the Commission implements the budget by shared management, according to Article 53(3) of the Financial Regulation,
- C. whereas one of the main aims of modernisation of the accounting system of the European Communities (MAS), as presented in the Commission communication of 17 December 2002 (COM(2002) 755), is to develop an integrated accrual system which would provide a fuller picture of the Communities' financial situation — registering all assets and liabilities as soon as they arise, rather than waiting until a receipt or payment is affected,
- D. recalling that administrative reform has been one of the main objectives of the present Commission, that the White Paper 'Reforming the Commission' (COM(2000) 200) was adopted on 1 March 2000, and that the Commission committed itself to an ambitious programme designed to strengthen independence, accountability, efficiency, transparency and provide the highest standards of responsibility,
- E. stressing its view that the discharge procedure is a process seeking, inter alia, to improve financial management in the EU by improving the basis for decision-taking in the light of the Court of Auditors' reports and the replies and opinions of the institutions,
- F. recalling the need for clear performance indicators for each major spending department of the Commission in order to evaluate progress in financial management from year to year;

A. HORIZONTAL ISSUES

Shared management

General issues

1. Recalls that the two largest areas of expenditure in the budget — agriculture and the Structural Funds — are subject to shared management, and notes that the Court of Auditors recommends that these two areas should be monitored particularly attentively 'due to their complexity and the many layers of administration involved' (Annual Report for the 2002 financial year, point 0.11);

⁽¹⁾ OJ L 29, 5.2.2003, p. 22.

⁽²⁾ OJ L 79, 22.3.2002, p. 42.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

2. Endorses the Court of Auditors' view that there is a need for both the Commission and the Member States to pay greater attention to a form of management which separates the financing of a Community policy from its implementation and, in the case of the Community, affected 77,6 % of commitment appropriations in 2002;
3. Stresses that 'shared management' has its Community legal basis, in primary law, in Article 274 of the Treaty ('Member States shall cooperate with the Commission to ensure that the appropriations are used in accordance with the principles of sound financial management'), as well as in secondary law, in Article 53(3) of the Financial Regulation ('Where the Commission implements the budget by shared management, implementation tasks shall be delegated to Member States ...');
4. Stresses that it is clear from the above two provisions that the Commission has primacy in the management of the Community funds concerned; calls on the Commission, accordingly, to draw up measures that reflect the subordinate position of the Member States and are aimed at ensuring sound financial management in this area;
5. Considers that there are no rules that would give the Commission clear grounds for avoiding its financial accountability by transferring it to the Member States in cases where they are at the origin of the irregularity;
6. Considers, therefore, that meaningful use of the term 'shared management' must be based on the fundamental principle that the Union delegates some of its powers to the Member States and that the Member States are obliged to carry out their part of the work in accordance with the guidelines adopted by the Union;
7. Points out that the salient financial feature of shared management is that national authorities appointed by the Member States make payments to those entitled to aid and that, even if the Member States pay out Community funds, where fraud and irregularities are not discovered or reported the cost is borne by the EU budget and not by the Member States;

Commission's responsibility

8. Stresses that, even though the day-to-day management is shared, financial responsibility remains indivisible and ultimate responsibility for implementation lies with the Commission, in accordance with Article 274 of the Treaty ('the Commission shall implement the budget ... on its own responsibility ..., having regard to the principles of sound financial management');
9. Calls on the Commission substantially to increase the number of 'sunset clauses' enshrined in legislation and detailed impact assessments;
10. Points out that Article 53(5), of the Financial Regulation reiterates the indivisibility of financial responsibility as follows: 'in cases of shared or decentralised management, in order to ensure that the funds are used in accordance with the applicable rules, the Commission shall apply clearance-of-accounts procedures or financial correction mechanisms which enable it to assume final responsibility for the implementation of the budget in accordance with Article 274 of the EC Treaty and Article 179 of the Euratom Treaty';

Member States' responsibility

11. Points out that the Member States' responsibility is laid down in:

— Article 280 of the Treaty:

'The Community and the Member States shall counter fraud and any other illegal activities affecting the financial interests of the Community through measures to be taken in accordance with this Article, which shall act as a deterrent and be such as to afford effective protection in the Member States.'

Wednesday 21 April 2004

Member States shall take the same measures to counter fraud affecting the financial interests of the Community as they take to counter fraud affecting their own financial interests.

Without prejudice to other provisions of this Treaty, the Member States shall coordinate their action aimed at protecting the financial interests of the Community against fraud. To this end they shall organise, together with the Commission, close and regular cooperation between the competent authorities.'

- and in Article 274 as amended by the Amsterdam Treaty:

'Member States shall cooperate with the Commission to ensure that the appropriations are used in accordance with the principle of sound financial management;'

Position of the Court of Auditors on shared management

12. Points out that since 1994 the Court of Auditors has noted in its declarations on the correctness of the accounts that the underlying transactions are often materially affected by errors, particularly in the case of payments made by the Member States in areas subject to shared management; regrets the fact that the 2002 financial year is no different from previous financial years in this respect):

- '(a) in the case of the EAGGF Guarantee Section, the payments were, again, materially affected by errors. Arable crops are less exposed to the risk of error than animal premiums, whereas the other categories of expenditure, which are not subject to the integrated administration and control system (IACS), are exposed to greater risk, as well as being subject to less efficient controls;
- (b) in the case of the structural measures, in spite of an improvement in supervisory systems and controls, especially at Commission level, the same types of error occurred at Member State level with the same frequency as in previous years ⁽¹⁾;

13. Points to the Court's most important audit results for the two main areas under shared management during the 2002 financial year:

'AGRICULTURE

- the certifying bodies have reservations regarding expenditure of EUR 300 million owing to the way transactions are dealt with by the paying agencies (4.8 (b));
- the Commission has not accepted the accounts in respect of one-quarter of the total amount declared (4.8. (b));
- the certifying bodies' audits do not provide assurance that the information supplied to paying agencies by claimants under CAP schemes is correct (4.7.(d));
- the IACS ⁽²⁾ is a valuable source of information concerning the legality and the formal correctness of EAGGF payments, but it only covers approximately 58 % of these payments (1.43) and is only fully implemented in 14 Member States (4.23), despite the fact that 'IACS inspection results represent an important source of evidence on the legality and regularity of the CAP transactions' (4.13); takes the view that Member States which fail to implement IACS should lose their corresponding right to agricultural support from the EAGGF Guarantee Fund;
- CAP expenditure taken over one year was — as in previous years — 'materially affected by error' (4.49);

⁽¹⁾ Annual report for the 2002 financial year, point V.

⁽²⁾ Each Member State is required to set up an integrated administration and control system (IACS) which comprises an electronic database of farms and applications for aid, a system for identifying land, a system for identifying and registering animals and an integrated control system for administrative control and on-the-spot checks.

Wednesday 21 April 2004

STRUCTURAL FUNDS

System faults

- not until the end of 2002 did the Member States give all managing and paying authorities and the intermediate bodies the necessary guidance for the management and control systems to be set up in respect of forms of intervention in the 2000-2006 programming period (5.27);
- not all the management and control systems examined by the Court meet the requirements, three years into the 2000-2006 programming period (5.32);
- approximately 15 % of total expenditure for the 2000-2006 period have been paid without the Commission having assurance that the national supervisory and control systems are operating as required (5.32);

Substantive audit

- of the areas at the final beneficiary stage affecting the eligibility of the expenditure for aid, the Court mentions the inclusion of actions or persons unrelated to the programmes concerned, failure to take account of revenue generated or other income when calculating the net cost of projects, the same expenditure being declared more than once, expenditure without supporting documents, use of arbitrary cost allocation rates, calculation errors, "and several other failures to respect Community rules" (5.40);

14. Points to the Court's repeated highlighting of serious weaknesses in the Member States' supervisory control systems, and regrets the Member States' unwillingness to cooperate with the Commission to ensure that appropriations are used in accordance with the principle of sound financial management. Regrets, in addition, the fact that this obligation appears to be translating into action only slowly and with difficulty;

15. Points out the following key factors by way of explanation of this situation:

- (a) the legal basis for shared management lies in secondary legislation (mainly sectoral legislation concerning the EAGGF Guarantee Section and the Structural Funds) and not in the Treaty;
- (b) the Commission has the right of initiative for sectoral legislation and is fully responsible in legal terms for implementing the budget under Article 274 of the Treaty, but its powers may be limited by sectoral legislation adopted by the Council and Parliament;
- (c) the Commission is not able to act in any other way than as laid down in sectoral legislation, which generally does not provide it with any means other than supervisory instruments and procedures and financial corrections;

16. Stresses that, without prejudice to the Commission's obligations as reflected in the Treaty, it is the legislative authority that defines the Commission's competence in the areas to which sectoral legislation applies; takes the view that there may be a risk of a mismatch between these two areas and that this may have an adverse effect on the scope for ensuring that the appropriations are used in accordance with the principle of sound financial management;

17. Points out that, pursuant to the Treaty, general political responsibility lies unequivocally with the Commission; notes that responsibility for the many weaknesses, as highlighted by the Court of Auditors, should be attributed both to the Commission's failure to ensure that those control systems are working and to the complex nature of the legislation and the shortcomings of the supervisory and control systems in the Member States;

Recommendations

18. Takes the view that it is absolutely necessary — inter alia because of enlargement — to find the right balance between the Commission's responsibility and the legislative means it has at its disposal to exercise that responsibility;

Wednesday 21 April 2004

19. Believes that in areas with shared management there is a need for a climate of coordination, cooperation and dialogue between the parties involved in implementing the budget, and that without such a climate it will be difficult to envisage the budget being implemented in accordance with the principle of sound financial management;

20. Believes likewise that such a climate of understanding can help forge a common perception of the risks and weaknesses in the implementation of the budget in these areas;

21. Points out that the Commission has a³³ paramount interest in the full implementation of these supervisory and control provisions, and that indulgence in this area on the Commission's part only undermines its position in areas with shared management;

22. Calls on the Commission to improve implementation of the budget in the forthcoming financial years by:

IN GENERAL

- (a) ensuring that exemptions are not incorporated in sectoral legislation concerning implementation of the Financial Regulation;
- (b) taking greater account of Member States' dual role as both members of the Council and as national states with regard to the Commission's obligation to implement the budget in accordance with the principle of sound financial management;
- (c) complying to the letter with the provisions of the Treaty and of secondary law in the Commission's and Member States' practice in areas with shared management;
- (d) introducing, where applicable, new common standards to improve the national authorities' ability to carry out their part of the work;
- (e) fully assuming the role of guardian of the Community's financial interests, which do not necessarily coincide with those of the individual Member States;

AGRICULTURE

- (f) making proposals for higher fixed correction rates for system weaknesses,
- (g) undertaking whatever action is needed to ensure that IACS is implemented in all Member States,

THE STRUCTURAL FUNDS

- (h) carrying out a study of old and new Member States' administrative capacity and increasing the frequency of controls in countries and regions with relatively weak administrative structures;
- (i) considerably improving its instruments for monitoring compliance with the additionality principle and the provisions on eligibility for aid;
- (j) making full use of the right to carry out on-the-spot checks and use financial corrections in respect of the Member States;

23. Takes the view that shared management is well suited as a form of management to implementing Community policies in the two major budget areas of agriculture and the Structural Funds, which have a very high number of final recipients of aid and involve very considerable amounts (77,6 % of commitment appropriations in the 2002 budget); stresses, nonetheless, that sound implementation of these policies requires both the Commission and the national authorities to carry out their respective tasks;

Auditing and shared management

24. Applauds the Commission's initiatives with a view to coordinating and harmonising the audit programmes and the methods introduced in order to achieve an integrated auditing approach;

25. Expresses its interest in this initiative, and asks to receive up-to-date information on successes achieved, reservations entered, obstacles removed and the timetable for future actions in the Commission's follow-up report;

Wednesday 21 April 2004

26. Welcomes the approach underlying the *confidence contracts*; is aware that there is a lack of information on the matter, given the embryonic nature of the pilot project, but asks to be informed in good time of the results and of the measures adopted to encourage signature of such contracts despite their voluntary nature; notes with pleasure the willingness of Austria and Denmark to submit themselves to this measure, and strongly urges all other Member States to follow their lead;

27. Is concerned at the absence of 'confidence contracts' for the area of the European Social Fund with the Member States⁽¹⁾;

28. Takes the view that both the Member States and the Commission should work towards establishing a single audit strategy for the shared management programmes; welcomes in this respect the efforts undertaken by the Commission and certain Member States to establish confidence contracts; takes the position that such efforts should be coupled with the carrying out of a reliable statement of assurance procedure, implemented annually at the level of the relevant authorities for the structural funds within the Member States, the result of which would be, in turn, taken up at Community level; takes note of the resistance expressed by a large number of Member States to the idea of such a yearly declaration of assurance as first proposed by the Commission at a meeting of the relevant ministers of the Member States on 7 October 2002; notes with criticism however the demonstrated unwillingness of the Commission to push forward such proposals more actively;

Recovery

29. Notes, in the light of the Commission's replies⁽²⁾, the existence of a high degree of fragmentation in the area of the recovery of funds unduly paid;

30. Asks for information on the criteria for administrative harmonisation in this respect and the degree of compliance;

31. Calls on the Commission to provide, in its follow-up report, a comprehensive framework permitting standardised and regularly updated comparisons to be made and containing sufficient information on outstanding sums, numbers of dossiers closed and still open, and the efficiency levels of the individual recovery units;

The reform of the Commission

General aspects

32. Notes that uneven progress has been made in the implementation of the various actions set out in the White Paper; observes that, despite such progress, there are delays and difficulties to overcome in many areas;

33. Notes the Commission communication of 10 February 2004 on completing the reform mandate: progress report and measures to be implemented in 2004 (COM(2004) 93); acknowledges that adoption of virtually all of the 98 reform measures marks the completion of the legislative phase, but insists that the reform momentum needs to be maintained so as to ensure full implementation;

34. Points out that rapid progress must be made as regards 'administrative culture', in which connection every effort must be made to ensure that the system around the authorising officer by delegation works perfectly; considers that further efforts must be made in order to bring about an appropriate change in mentality as regards giving staff a sense of responsibility, so that each official or other employee — irrespective of his or her position within the hierarchy — feels actively involved in the collective task; expects management to be unstinting in its efforts to achieve this objective;

35. Insists that the efforts still required if the reform is to be optimised must be made as quickly as possible, with particular regard to human-resource management (identification of priorities, including 'negative' ones; redistribution of resources so that they can be allocated to priority activities; assessment of needs and appropriate training initiatives designed to fill 'skills gaps') and the implementation of the 24 control standards; expects such progress to be reflected in the forthcoming annual activity reports;

⁽¹⁾ Replies to the questionnaire — Part 1 — Commission's reply to question No 92 (PE 328.732/fin. 1).

⁽²⁾ Replies to the questionnaire — Part 1 — annex to question 19, pp. 120-121 (PE 328.732/fin. 1).

Wednesday 21 April 2004

36. Welcomes the measures adopted by the Commission to ensure further progress in the harmonisation of the terms and conditions under which Directors-General express reservations in their annual reports; hopes that these measures will be applied in the next annual-report drafting exercise, so as to enable the reservations expressed to be assessed and to facilitate identification of corrective measures;

37. Considers that the part of the reform linked to the amendment of the Staff Regulations is also important, since it constitutes an essential means of monitoring the reform of human-resource management; therefore expects the Commission to take Parliament's opinion into account;

38. Approves the Commission's efforts to establish a comprehensive 'whistleblower's doctrine', notes that such a doctrine is truly effective only if staff members are aware of it, and encourages the Commission to ensure that this information is freely available to its staff;

Decentralised financial control and risk assessment

39. Acknowledges that the Commission has worked hard to ensure the transition from a centralised to a decentralised control system (i.e. the Administration controlling itself), involving, inter alia, the transfer of more than 200 posts from DG Financial Control to, in some cases, other directorates-general, with a view to strengthening their internal control systems, and, in others, for the new internal audit function;

40. Points out that a key feature of any debate on the most appropriate structure and form for financial control is the question of striking a suitable balance between operational requirements and control requirements; takes the view that painstaking compliance with rules and directives does not necessarily always go hand in hand with effective problem-solving;

41. Considers that control efforts focusing solely on preventing formal errors can militate against improvements in effectiveness if they encourage an excessively rule-based approach, with the familiar consequences of a lack of flexibility and excessive red tape; is therefore of the opinion that risk assessment is a crucial component of internal control arrangements insofar as it alone makes it possible to ensure that internal control outcomes are commensurate with costs;

42. Notes that the 24 internal control standards making up the framework for internal controls at the Commission, as adopted by the Commission in 2000 and modified in 2001, have still not come fully into force; observes that Standard 11 reads as follows: 'Each DG shall systematically analyse risks in relation to its main activities at least once a year, develop appropriate action plans to address them and assign staff responsible for implementing those plans' ⁽¹⁾;

43. Considers, in view of the vital role of risk assessment within internal control, that the Commission's report on the implementation of that standard is both disquieting and unsatisfactory ⁽²⁾; calls, therefore, on the Commission to give higher priority both to the performance of risk assessments and to implementation of the internal control system's other features; expects that the rules on internal control ⁽³⁾ will be applied rapidly and universally;

44. Deplores the lack of accountants in the Commission; notes the high turnover of accounting officers in 2002;

The reform of the accounting system

45. Considers that the future accounting system should ensure full accrual accounting capacity, data consistency and secure access;

⁽¹⁾ http://europa.eu.int/comm/commissioners/schreyer/Reform/SEC%20_2001_2037_Internal_Control_Standards_en.pdf

⁽²⁾ 'Moreover, it is clear from the limited progress made in general, that DGs and services are some way short of having a fully embedded risk management culture in place.' (COM(2003) 391, point 3.2.).

⁽³⁾ Replies to the questionnaire — Part II — Commission's reply to question No 1 (PE 328.732/fin. 2).

Wednesday 21 April 2004

46. Stresses that one of the questions thus far has been whether the Commission should adopt a 'big bang' approach and move directly to a fully integrated, single-package system, or phase it in by means of an interim phase which takes account of the needs of local systems;
47. Notes that the Commission prefers the latter, as a safer and surer method and because a large-scale validation exercise is necessary before local systems can be switched to the central system;
48. Notes the following progress in implementing the first stages of reform in 2003:
- (a) definition of accounting standards;
 - (b) documentation of user requirements;
 - (c) definition of accounting events;
 - (d) chart of accounts for coding of all transactions;
 - (e) accounting manual;
49. Takes note of the feasibility study conducted by Price Waterhouse Coopers on the Commission's MAS project and its chief recommendations for the project's successful completion;
50. Recalls that the Financial Regulation is based on a dual system combining accrual accounting for the purposes of the general financial accounts and cash-based accounting for the budget accounts; notes that this arrangement of public-sector accounting practices is in line with the criteria of the International Federation of Accountants and is the system operated by most Member States; points out, however, that this system requires permanent reconciliation between budget implementation and out-turn;
51. Notes that this 'dual system' enables the use of double-entry book-keeping for the general financial accounts, while single-entry is maintained for the budget accounts which are used by the budgetary authority to verify the state of budget implementation;
52. Appreciates the Commission's efforts to keep to the timetable laid down by the legislation in force, while recognising that it is extremely tight, given the experience in several Member States which have embarked upon a similar process of modernising public-sector accounts; suggests, therefore, adopting a phased approach which focuses first of all on eliminating any significant security weaknesses and accounting discrepancies, secondly on ensuring that the 2005 accounts will be presented on an accrual basis, and lastly that a coherent and integrated system is put in place to support the new architecture;
53. Considers that all EU institutions and decentralised agencies must ensure that they also have accounting systems compatible with the new framework and based on principles and standards analogous to those required by the Financial Regulation;
54. Considers the full cooperation and input of all Commission departments (stakeholders) essential to the success of MAS; likewise expects DG Budget to take account as much as possible of user needs;
55. Underscores the high priority which Parliament attaches to data uniformity of the new system, and, in particular, to the establishment of a central invoice register and contractors' database that will provide full, accurate and detailed information on the status of the institutions' contractual relations;
56. Points to the 2005 deadline for the validation process of interfaces between local systems and the central system, after which data provided by non-validated systems will not be recognised; seeks assurances that this deadline will be met for all services without exception;

Wednesday 21 April 2004

57. Recognises that Option 3, as presented in the abovementioned Commission communication on MAS, represents the only realistic, although interim, approach to meet the key requirements of a modern accrual-based accounting system by 1 January 2005, as well as the sectoral needs of the operational services; stresses that the 2005 deadline, as required by the new Financial Regulation and thus a priority objective for Parliament, is not the end of the reform process, as the IT system supporting the new accounting architecture will still need to be installed to meet the goal of a fully integrated system (as laid down in Option 2);

58. Recalls the observer status on the Accounting Standards Committee and Project Oversight Board of both the Internal Audit Service and the Court of Auditors in the context of the MAS project; underlines their duty to follow closely the progress of the reform and to offer constructive and timely advice, as well as, where necessary, issuing early warnings that the project leaders must take into account when implementing the various stages;

The post-reform control structures

General issues

59. Recalls that the administrative reform has been one of the main objectives of the present Commission, that the White Paper 'Reforming the Commission' was adopted on 1 March 2000, and that the Commission has committed itself to an ambitious programme for strengthening independence, accountability, efficiency, transparency and the highest standards of responsibility; notes that a great number of very necessary and important steps in the right direction have been taken but that there are still potential obstacles to reform which have to be overcome;

60. Takes the view that the general conditions of contracts with the European institutions must oblige the contracting party to fully cooperate in clarifying the final ownership of important positions within that undertaking in the case where there is reason to suspect a possible conflict of interests;

61. Draws attention to the fact that the examination of the problems at Eurostat identify the need for safeguards against concealment of critical information;

62. Notes that the financial management and control structures now comprise the following key organisational elements:

- (a) the Directors-General as delegated authorising officers;
- (b) the Internal Audit Service;
- (c) the Audit Progress Committee;
- (d) the Internal Audit Capabilities (DG level);
- (e) the Accounting Officer, and
- (f) the Central Financial Service in DG Budget;

63. Takes the view that the Eurostat affair has emphasised the need to review relations between the different actors and between the individual Commissioners and the College of Commissioners, as well as the functioning of the accountability chain, in order to ensure progress not only in the area of financial management but also in the governance structure of the Commission;

64. Reiterates the statement it made in paragraph 1 of its resolution of 4 December 2003 on the Commission report on the evaluation of the activities of the European Anti-Fraud Office (OLAF) ⁽¹⁾ that 'it was a mistake to concentrate the competences for drawing up the budget and keeping accounts and for combating fraud in the hands of one Member of the Commission, because this inevitably creates a conflict of interests'; reiterates its demand that this conflict of interests be avoided in the future; calls on the Commission to take steps to separate Commissioner responsibility for the functions of budgets and those of budgetary control;

⁽¹⁾ P5_TA(2003)0551.

Wednesday 21 April 2004

65. Stresses the political importance that it ascribes to the statements made and conclusions drawn under the heading 'Eurostat' in its resolution of 29 January 2004⁽¹⁾, with respect to the 2001 discharge, with a view to clarifying responsibility for the events at Eurostat; notes that the presentation to the legal authorities by OLAF of the Eurostat irregularities points to the need for vigilance should the outcome of the legal proceedings under way make it necessary to demand political explanations from the Commissioners concerned;

The Directors-General as delegated authorising officers

66. Believes that, as a result of the introduction of a system requiring each Director-General or Head of Service to present an Annual Activity Report accompanied by a statement of assurance concerning the degree of effectiveness of his department's controls, efficiency, transparency and accountability are improving to such an extent that they have actually become a key tool in the Court of Auditors' annual assessment of budgetary management;

67. Reiterates the demands and recommendations set out in paragraph 20 of its abovementioned resolution of 4 December 2003 that the Financial Regulation provide for more effective supervision of the Directors-General in their capacity as authorising officers, in order to prevent any misuse of power, that the Commission's Accounting Officer should verify the information supplied to him by the authorising officers, at least by carrying out spot checks, and that the 'internal audit capacities' in the Directorates-General should no longer answer only to the Directors-General but also to the Internal Auditor;

68. Expressly regrets the fact that the Commission took no action on its demand, set out in paragraph 21 of its abovementioned resolution of 4 December 2003, that the Commission should submit the requisite legislative proposals for the amendment of the Financial Regulation and/or the implementing provisions relating thereto;

69. Believes that each individual Commissioner is accountable for the services under his responsibility and must ensure that their objectives have been achieved on the basis of full respect of the principles of sound financial management;

70. Expects the request made in indent 1 of paragraph 30 of its resolution of 29 January 2004 for structural changes in the relations between the Commissioners and the Directors-General to be acted upon;

The Internal Audit Service

71. Recalls that the Internal Auditor is independent in the discharge of his duties as set out in the Financial Regulation (Chapter 8, Article 85); stresses that Article 85 of the Financial Regulation refers directly to 'the relevant international standard' and that these standards are 'International Standards for the Professional Practice of Internal Auditing' as drawn up by the Institute of Internal Auditors (www.theiia.org);

72. Draws attention, in particular, to the following standards⁽²⁾:

— 1100 Independence and Objectivity:

The internal audit activity should be independent, and internal auditors should be objective in performing their work.

— 1110 Organisational Independence

The chief audit executive should report to a level within the organisation that allows the internal audit activity to fulfil its responsibilities.

— 1110.A1 The internal audit activity should be free from interference in determining the scope of internal auditing, performing work, and communicating results;

73. Takes, consequently, the view that the Internal Audit Service should be closely integrated into the Commission Presidency; emphasises that it is crucial for that Service to be established independently of the hierarchical structure of any individual Directorate-General so that effective internal control may be guaranteed;

⁽¹⁾ P5_TA(2004)0049.

⁽²⁾ http://www.theiia.org/iaa/index.cfm?doc_id=1499

Wednesday 21 April 2004

The Audit Progress Committee

74. Notes that the Audit Progress Committee was set up under the Charter of the Internal Audit Service of the European Commission (SEC(2000) 1801/2) ⁽¹⁾ with the principal task of monitoring the measures put in place by the DGs and services in the light of the analyses, evaluations and recommendations of the internal and external auditors;

75. Stresses that the Audit Progress Committee has the further function of assisting the College of Commissioners in its task of ensuring that the work of the Internal Audit Service is taken into account by the Commission's services, and that it may therefore make proposals to the Commission for suitable action;

76. Welcomes the Commission's reply to the effect that the Audit Progress Committee has the task of making it aware of any possible area of conflict related to its work on which it believes the Commission should act, accordingly making its minutes available to the Secretary-General ⁽²⁾;

77. Notes that the Court of Auditors, in its Annual Report for 2001 ⁽³⁾, stated that the existing practice is 'contrary to the usual rules forbidding the chairman of an audit board from playing a role in the organisation that is likely to give rise to a confusion of interest' (9.56); believes that, in this connection, it would be desirable to revise the Committee's rules in order to:

- (a) ensure the absence of conflicts of interest;
- (b) attach its secretariat directly to the Secretary-General's office, as suggested by the Committee itself in its annual report; and
- (c) ensure publicity for its annual reports, which should include an assessment of follow-up action on the recommendations of the auditors' reports;

The Internal Audit Capabilities (DG level)

78. Notes that, whilst the Financial Regulation only provides for an Internal Auditor, the Commission decided in 2000 to set up Internal Audit Capabilities (IAC) in each department in order to assist Directors-General and Heads of Service in their new responsibilities as regards financial management;

79. Trusts that the Commission will improve the channels of communication between the central and peripheral auditing bodies and the central and peripheral control bodies ⁽⁴⁾;

80. Calls on the Commission to review the rules governing the Internal Audit Capabilities in the light of the new Financial Regulation;

81. Considers that this reform must ensure the smooth flowing and functional autonomy of relations between the Internal Audit Capabilities and the Internal Audit Service, consolidating where applicable all the links and relationships referred to in Vice-President Kinnock's communication to the Commission on the conditions for establishing Internal Audit Capabilities in each Commission service (SEC(2000) 1803/3) ⁽⁵⁾;

The Central Financial Service in DG Budget

82. Recalls that the reform places a strong emphasis on the decentralisation of financial controls; believes that this in turn highlights the urgent need to develop more suitable and accountable forms of central management supervision of the control systems operating in individual departments; takes the view that this central management supervision should result in a formal opinion on the quality of the departments' internal control systems, which should be published in its original form within the synthesis report;

⁽¹⁾ http://europa.eu.int/comm/dgs/internal_audit/charter/charter_en.pdf

⁽²⁾ Replies to questionnaire — Part 1; Commission's reply to Question 28 (PE 328.732/fin. 1).

⁽³⁾ OJ C 295, 28.11.2002, p. 1.

⁽⁴⁾ Replies to questionnaire — Part 1; Commission's reply to Question 28 (PE 328.732/fin. 1).

⁽⁵⁾ http://europa.eu.int/comm/dgs/internal_audit/documents/audit_dg_sec1803_en.pdf

Wednesday 21 April 2004

83. Is concerned about the high turnover of administrative staff at the Commission and calls on the Commission to take the measures required to investigate and eliminate the causes of this problem within its organisation;

84. Believes that there must be a fluid relationship between the central financial control bodies and the individual DGs' or services' financial control organs, so as to ensure the same relationship as is considered desirable in the audit field;

85. Welcomes the Commission's statements to the effect that both the Internal Audit Service and the Internal Audit Capabilities could assess the control systems and that the results of the audits and controls will be transmitted to the Central Financial Service and will be included in the annual synthesis report ⁽¹⁾;

The Accounting Officer's Department in DG Budget

86. Recalls that the Accounting Officer, according to Article 61(e) of the Financial Regulation, is responsible for 'laying down and validating the accounting systems and where appropriate validating systems laid down by the authorising officer to supply or justify accounting information';

87. Points out that Article 61(2) of the Financial Regulation states that in order to assume this responsibility the Accounting Officer 'shall obtain from authorising officers, who shall guarantee its reliability, all the information necessary for the production of accounts which give a true image of the Communities' assets and of budgetary implementation';

88. Agrees with the Commission on the need to maintain operational synergies for financial management without prejudice to the functional independence of the supervisory bodies and the proper recognition of the roles of those responsible for the services concerned ⁽¹⁾;

The European Anti-Fraud Office (OLAF)

89. Welcomes the Commission proposal (COM(2004) 103) amending Regulation (EC) No 1073/1999; reiterates paragraph 38 of its resolution on the 2002 annual report on the fight against fraud, in which it states that the legislative proposals submitted by the Commission point to some extent in the right direction but that the following points are totally unacceptable and must almost be regarded as provocation;

- (a) instead of stipulating that OLAF should finally carry out to the full extent its long-neglected core task of internal investigations, the Commission's proposal expressly offers OLAF the possibility of not opening internal investigations even when there is sufficiently strong suspicion that acts of fraud or corruption or other illegal acts have been committed to the detriment of the financial interests of the Community;
- (b) instead of assigning the secretariat of the OLAF Supervisory Committee administratively to the secretariat of the European Parliament, the Commission now proposes that the secretariat should be administratively assigned to the Commission, thereby calling into question the independence of the Supervisory Committee;
- (c) instead of strengthening the rights of persons subject to an internal investigation, they are to be deprived of the possibility hitherto provided by the OLAF Regulation to appeal to the European Court of Justice if OLAF, in the course of its investigations, acts in a way which adversely affects them; this would open the floodgates to abuses of power (e.g. opening an investigation without sufficient grounds, inordinately long investigations) as such offences would no longer be subject to the scrutiny of a court;

90. Welcomes the Commission's intention to establish that communications from the DGs to OLAF should be forwarded to the relevant Commissioner ⁽²⁾;

91. Recalls its abovementioned resolution of 4 December 2003 in which it supported the announcement made by the President of the Commission that he would accord greater priority to OLAF's core tasks, improve the flow of information between OLAF and the institutions, do more to safeguard the rights of defence of persons under investigation and enhance the role of the Supervisory Committee;

⁽¹⁾ Replies to questionnaire — Part 1; Commission's reply to Question 189 (PE 328.732/fin. 1).

⁽²⁾ Replies to questionnaire — Part 1; Commission's reply to Question 12 (PE 328.732/fin. 1).

Wednesday 21 April 2004

92. Cannot understand why the Commission was more than a year late in submitting the progress report required by Article 15 of Regulation (EC) No 1073/1999 and why now, after Parliament's adoption of its abovementioned resolution of 4 December 2003, the Commission required almost three months before taking a decision on a corresponding set of proposals on 9 February 2004; notes that these delays have made it practically impossible for improvements to be made to Regulation (EC) No 1073/1999 before the European elections;

93. Believes that the OLAF Supervisory Committee should be fully independent of the Commission;

94. Is deeply disturbed by the announcement of the Director of OLAF to the effect that he does not intend to follow the Ombudsman's recommendation to reopen the case of the firm of Blue Dragon; notes that the OLAF Supervisory Committee has raised serious doubts about OLAF's handling of the case; calls on OLAF to comply with the recommendations of the Supervisory Committee; welcomes the Commission's reopening of the case;

95. Notes that most of the 1 000 cases which OLAF inherited from UCLAF have been closed; calls on the Supervisory Committee to investigate how many of the cases were closed without any result; calls on the Supervisory Committee to pay particular attention to ensuring that cases have not been closed without proper justification;

Presentation of audit results

96. Stresses the importance of the principle of an auditee's right to comment on audit results submitted by an auditor, and draws attention to the fact that the effectiveness of parliamentary oversight over financial management in the EU is very much dependent on the quality and information value of the Court of Auditors' special reports and annual reports;

97. Stresses its view that the discharge procedure is a process seeking, inter alia, to improve financial management in the EU by improving the basis for decision-making in the light of the Court's reports and the replies and opinions of the institutions; welcomes the fact that, in practice, the Court contributes not only to correcting mistakes, but also to developing and improving management in the EU by identifying and pointing to sub-optimal solutions; points out that improvements naturally presuppose that an auditee is receptive to audit recommendations;

98. Notes that the Court of Auditors, despite its name, is not a court of law, does not have decision-making powers and can only achieve results on the strength of the quality of its reports;

99. Takes the view that the impact of examinations by the Court of Auditors is very much dependent on how the discharge authority deals with, and follows up, the results of the Court's examinations, and that improvement in the quality of reports, and in the way in which the competent committee deals with them, is therefore in the common interest of the Court and the discharge authority;

100. Observes that the Commission's position on the results of Court audits often varies, depending on the areas examined; notes that, with regard to own resources, the Commission often declares itself to be in agreement with the Court's recommendations, but that, with regard to the common agricultural policy, structural policy and external actions, it is frequently critical of the results of the Court's audits and its observations;

101. Takes the view that the Commission and the Court can self-evidently have differing views as to the importance to be accorded to the results of an audit, but points out that it is unsatisfactory for the two institutions not always to be in agreement about the underlying premises and criteria for an audit, since this affects the clarity of the message;

102. Looks to both the Commission and the Court of Auditors to make greater efforts in future to ensure that audit results are presented to the discharge authority as clearly and as unambiguously as possible;

Wednesday 21 April 2004

103. Welcomes the positive development as regards cooperation between the Court of Auditors and Parliament's competent committee, and points in particular to the new procedure for submitting reports for the committee, under which, *inter alia*, special reports are made public at a meeting of the competent committee and at the relevant preparatory meetings;

104. Hopes that it will be possible for this personal contact, which is positive and highly important for continuing development of cooperation between the two institutions, to be maintained and expanded in the future; considers it appropriate for more precise rules and procedures to be laid down on how the competent committee deals with the Court of Auditors' special reports;

105. Calls on both sides to develop the procedure further so that both the results of audits and the Commission's replies are satisfactorily considered in committee; is convinced that consideration in the competent parliamentary committee makes a major contribution towards drawing attention to the problems identified in the audit report and thus helps to improve financial management in the Union;

106. Stresses also the Commission's crucial role in disseminating information on financial management to the discharge authority and the public; calls on the Commission to continue to ensure that policy implementation is given at least as much attention as policy development; takes the view that many instances of irregularities and 'creative management methods' are an inevitable consequence of the dominant tradition at the Commission of according far more importance and prestige to policy development than to the implementation of policies already decided on;

Corruption

107. Calls on the Commission to make greater efforts to support the anti-corruption strategies of the accession countries, candidate countries and of the Member States, in particular as regards areas such as public procurement, customs and border control services, and the financing of political parties;

108. Takes the view that there is a need everywhere to raise awareness concerning public administration transparency, accountability and efficiency and, by means of campaigns, to make the public aware that corruption jeopardises the economy and society as a whole; calls on the Commission to support national and, in particular, local NGOs working for greater public awareness of corruption;

109. Expects the Commission, therefore, to carefully consider to which NGOs it gives support and to insist that NGOs given support present accounts and audit statements drawn up by independent auditors, on the same basis as ordinary undertakings;

110. Calls on the Commission to undertake the necessary verification to ensure that the NGOs it supports practise transparency in their activities and that their governing bodies operate correctly;

B. SECTORAL ISSUES

Own resources

The taxpayers and the EU budget

111. Recalls that the European Union's revenue for financing its expenditure consists of three categories of 'own resources': traditional own resources (agricultural levies, sugar levies and customs duties), own resources calculated on the basis of VAT collected by the Member States and own resources calculated on the basis of the Member States' gross national product;

112. Notes that the Community's revenue via these own resources has hitherto been insufficient to finance the European Union's activities and policies, but points out that since 1970, when the system of Member States' financial contributions was replaced with own resources, and the introduction of own resources based on GNP in 1988, numerous changes have been made to the system, frequently under pressure from the Member States;

Wednesday 21 April 2004

113. Points out that the VAT and GNP resources are based on macroeconomic statistics forwarded by the Member States and that the Court of Auditors is unable to test the underlying data directly; notes the Court of Auditors' view that '[these observations] cast doubt on the accuracy and reliability of the VAT statements produced by the Member States' (point 3.37 of the 2002 Annual Report);

114. Considers that there are several good reasons for reorganising the financing of the EU budget, and that the aim should be to secure the EU's financial independence from national contributions subject to the decisions of national parliaments, and funding for all the tasks to be undertaken in a Union of 25 Member States, without thereby further burdening European taxpayers;

115. Notes that the annual EU budget made up, in 2002, only 3,4 % of Member States' total tax revenue ⁽¹⁾, and that many of the public's notions about the size of the EU budget simply have no foundation in reality;

116. Calls on the Commission to draw up a report on the possibilities of introducing a more direct link between taxpayers and the EU budget, since such a scheme would not only be financially advantageous, but would also be an important political instrument for achieving all the objectives set out in Article 2 of the Treaty;

The Community's transit system

117. Welcomes the success of the hearing held to follow up the recommendations made by the first temporary committee in 1997; recalls that the background to the setting-up of the temporary committee was the introduction of the internal market and the need for rapid and effective customs clearance and an effective transit system to ensure the correct payment of VAT and customs duties, and that Parliament and the Council, as a result of the work of the committee of inquiry, called on the Commission to review the Community's transit system and implement the New Computerised Transit System (NCTS);

118. Is pleased that all the compulsory administrative measures have been taken in the Member States and that all customs offices in the EU are linked to NCTS; welcomes the fact that in the development stage of NCTS, account has already been taken of enlargement, and that NCTS is now showing itself to be a particularly flexible instrument;

119. Is aware that it is probably too early to assess the success of the system from the point of view of transit firms, but notes that the business world is apparently rather reluctant to use it; calls on the Commission to promote the transition to phase 3.2 of NCTS, which is mainly a national matter, since it is expected that the guarantee guidance function, which will only be implemented with phase 3.2, will act as a strong incentive to businesses to use the system;

120. Considers that the EUR 68 million which have so far been spent on the project can only pay off if there is a far greater number of users; also considers that one reason for the low level of use is the decision to apply a 'decentralised architecture', whereby the national customs administrations will use a national application, as opposed to a 'centralised architecture' based on a common application to which all customs administrations are linked;

⁽¹⁾ The following table shows the EU budget (outturn figures) as a percentage of Member States' total tax income for the years 2000-2002:

Year (*)	EU budget (outturn) (*) in euro millions	Total tax income EU-15 (**) in euro billions	EU budget in % of Member States' tax income
	(1)	(2)	(3) = (1) / (2) / 1000
2000	83 331,1	2 414,4	3,5 %
2001	79 987,3	2 450,2	3,3 %
2002	85 144,5	2 488,1	3,4 %
(*) Payments in the year in question under payment appropriations of the year as well as under payment appropriations of the previous year carried forward.			
(**) Total tax income of the 15 Member States. Social security contributions are not included.			

Source: Commission services.

Wednesday 21 April 2004

121. Notes that the reality still lags far behind the recommendation of the committee of inquiry that all customs administrations should act as a single administration in relation to businesses; notes with regret that, while this objective is shared by the Commission and by business associations, the national customs administrations are being very passive;

122. Further notes that NCTS cannot directly prevent or combat fraud committed using false customs declarations, which can only be detected by physical checks; welcomes the fact that NCTS, by simplifying the administrative tasks of customs workers, can help free up human resources to combat this type of fraud; calls on the Member States to make use of the resources thus released for effective and comprehensive physical checks;

123. Notes that the Commission allows goods which have been incorrectly or falsely declared to be regarded as not being involved in the transit procedure, with the result that the guarantee cannot be reclaimed, that the papers have to be sent back to the country of entry into the EU, and that the campaign to combat fraud is impeded; calls on the Commission to put an immediate end to this practice and to propose an appropriate amendment to the Customs Code;

124. Notes that, in many customs administrations, staff numbers are being reduced rather than increased, with the result that false declarations and other irregularities, which can be exposed only by means of on-the-spot physical inspections, are going undetected; notes that the costs involved in increasing the number of inspection staff are more than offset by the increase in customs revenue; calls on the Commission to urge the Member States to increase the number of staff required for physical inspection duties, especially now that the share of customs revenue allocated to the Member States has been increased from 10 % to 25 %;

125. Trusts that the Commission will abide by its statement to the effect that the objective of fraud reduction is being achieved and that NCTS will attain in full the objectives for which it was created⁽¹⁾;

126. Calls on the Commission to draw up, no later than 15 June 2004, a survey showing the implementation of the 38 recommendations made by the committee of inquiry in 1997;

127. Calls also on the Commission, in its competent committee and on the basis of a brief written report on the situation forwarded to that committee prior to the follow-up report, to report on (any problems with) the continued implementation of NCTS, with regard inter alia to the implementation of phase 3.2, the number of users, user satisfaction, implementation in the Member States (new and old) and the commitment of the national customs administrations;

Agriculture*Setting of export subsidy rates*

128. Notes, in relation to the Commission's reply under point 25 of Special Report No 9/2003 concerning the system for setting the rates of subsidy on agricultural products⁽²⁾, that neither the Commission nor the Court of Auditors has supplied the discharge authority with details on the content and nature of the 'extremely important circumstances' for which the Commission opted for 'a rate different from the theoretical calculated rate';

129. Recalls that the expenditure in the EU budget for export refunds is dependent on the quantity of products for export and the export refund rate set by the Commission, and that the investigation by the Court of Auditors as to how, by means of which procedures and on what basis the Commission decides to set that rate is therefore both welcome and useful, as the setting of the rate is an important cog in the entire export refund mechanism;

⁽¹⁾ Replies to the questionnaire — Part 1 — Commission's reply to question No 60 (PE 328.732/fin. 1).

⁽²⁾ OJ C 211, 5.9.2003, p. 1.

Wednesday 21 April 2004

130. Understands that, in their reply to the auditors' observations, auditees will seek to defend and explain their actions; also understands that a special report is a snapshot of management at a particular time before the publication of the special report, and that changes may have been made during the period it takes to carry out and complete an audit;

131. Finds, despite the above acknowledgement, that the gap between the two institutions' understanding of, on the one hand, 'what the situation is' and, on the other hand, 'what the situation should be' puts the discharge authority in a difficult and unsatisfactory situation;

132. Reminds the Court of Auditors and the Commission that the object of an audit is to bring about constant improvements in the relevant management process and that the outcome of audits and replies thereto should be drawn up in such a way as to be comprehensible to the European public, and expects rapid progress towards that objective;

133. Notes that the Court last investigated this matter in 1990⁽¹⁾ and concluded in regard to the method of setting export refunds that 'documentation of the facts, the Commission's consideration of the facts, the decisions taken and the outcome was not maintained, and, as a consequence, independent third party and audit and management control were virtually impossible' (Special Report 9/2003, paragraph 9);

134. Recalls that, in its resolution on the Court's Special Report No 2/90, Parliament concluded that 'for reasons of public accountability, the Commission's internal decision-making procedures must be recorded and justified in writing so that its reasoning can be followed by the monitoring bodies at any time' (Special Report 9/2003, paragraph 10);

135. Notes that, in its latest report, the Court concludes that:

- (a) the Commission has access to extensive market information but that this is not always up-to-date, complete or objective;
- (b) in many cases it is unclear how the information is used and what impact it has on the final refund rates set;
- (c) in setting the refund rates, the Commission gives no details of its working methods or any systematic and coherent justification for the rates set (Special Report 9/2003, paragraph 39);

136. Regrets the slow progress made in the 13 years between the two audits, and calls for further improvement following the recommendations of the Court of Auditors and the discharge authority and the full implementation of its 2002 comprehensive action plan;

137. Expects the Commission to account in its follow-up report for the following:

- (a) the slow and limited nature of the progress made in the 13 years between the two audits (Special Report 9/2003, paragraph 39),
- (b) the results achieved by the working group set up by the Commission in response to the Court's audit (Special Report 9/2003, paragraph 40a, footnote 7);
- (c) to what extent DG Agriculture meets standard No 15 of the internal control standards, which reads:

'The procedure used in the DG for its main processes shall be fully documented, kept up to date and available to all relevant staff and shall be compliant with the Financial Regulation and all relevant Commission decisions⁽²⁾;

⁽¹⁾ Special report No 2/90 on the management and control of export refunds (OJ C 133, 31.5.1990, p. 1).

⁽²⁾ http://europa.eu.int/comm/commissioners/schreyer/Reform/SEC%20_2001_2037_Internal_Control_Standards_en.pdf

Wednesday 21 April 2004

138. Also expects the Commission to submit as soon as possible:

- (a) an overall framework for the information to be included in the calculation of the rate;
- (b) reliable documentation for the information selected;
- (c) quality control of the information selected;
- (d) a clear statement of the division of tasks and responsibilities internally in the Commission;
- (e) a clear and unambiguous description of the procedures to be followed; and, in particular,
- (f) a description of control procedures and criteria for assessment;

139. Calls on the Court of Auditors to keep it informed of the Commission's implementation of the recommendations set out in paragraph 40 (a) – (h) of Special Report 9/2003;

The prefinancing regime

140. Notes with interest the Court of Auditors' investigation of the Commission's administration and the national authorities' implementation of the prefinancing regime, which is an important part of the export refund system, which in turn is a part of the common agricultural policy adopted by the Council;

141. Recalls that this is a very complex area, in which the Commission actively intervenes on the agricultural markets after taking difficult decisions, in which very considerable sums are paid out daily from the EU budget and which the Court of Auditors has described in earlier special and annual reports as a high-risk area;

142. Notes that some 11 % of the refunds paid in 2000 – some EUR 600 million – were paid out under the prefinancing regime (Special Report 1/2003 ⁽¹⁾, paragraph 2);

143. Notes that the Commission's own investigations in 1997 into the national authorities' checks on the regime revealed such significant shortcomings that the Commission imposed financial corrections of over EUR 166 million on the Member States (Special Report 1/2003, point V), but did not subsequently carry out an in-depth analysis of the regime's procedures;

144. Considers that financial corrections reflect not only the Member States' ability and willingness to implement a regime correctly, but also the possibility of implementing the regime correctly; believes in a general sense that many legal provisions concerning the common agricultural policy are so difficult to interpret, and the checking provisions in many cases so lacking in transparency, that the Member States' authorities do not have much opportunity to implement the regimes correctly;

145. Finds it hard to understand why the Commission does not pay greater attention to large financial corrections or treat them as alarm signals that may mean that a regime and its associated procedures should be made subject to a thorough investigation with a view to simplification or amendment;

146. Notes the Court of Auditors' conclusions to the effect that:

- (a) the legal provisions are hard to interpret, which makes it difficult for the Member States to implement the regime;
- (b) the prefinancing regime makes the already complex export refund system still more complicated;
- (c) the checking provisions are so unclear that there are large discrepancies not only between Member States but also between regions within the same Member State regarding the nature and extent of the checks;
- (d) the original purpose of the system has fallen by the wayside,

and that the Court of Auditors recommends, in the light of these conclusions, that consideration should be given to the removal of the regime;

⁽¹⁾ OJ C 98, 24.4.2003.

Wednesday 21 April 2004

147. Regrets that the Commission — while sharing some of the Court of Auditors' points of view — has not followed up the Court's recommendation to work towards the removal of the prefinancing regime, but has instead adopted two new regulations which further complicate an already complex system;

148. Considers that the prefinancing regime operates in practice as a provider of free capital to those undertakings which make use of the export refund regime;

149. Is aware that the common agricultural policy is adopted by the Council, and that the Commission therefore has only a limited influence over it; regrets, however, that the Commission is not making a greater effort to make it clear to the Council that a detailed follow-up to the Court of Auditors' recommendations is an important step on the necessary road to improving the EU's financial management; calls, therefore, on the Commission to submit a proposal by December 2004 for the abolition of the pre-financing scheme;

150. Deeply regrets that the Council has still not adopted the Commission proposal for a Council regulation amending Regulation (EC) No 1258/1999 on the financing of the common agricultural policy (COM(2002) 293), which seeks to extend from 24 to 36 months the maximum period to which an expenditure correction may apply, and has received favourable opinions from both the Court of Auditors⁽¹⁾ and the European Parliament⁽²⁾;

Support for less-favoured areas

151. Recalls that the support scheme for agricultural holdings in less-favoured areas is one of twenty-two support measures for agriculture and that it has been in existence since 1975 and was radically overhauled in 1999; stresses that the overall budget for the scheme is EUR 2 billion a year, approximately 50 % of which comes from Community funds, accounting for 1 % of the overall annual budget and 12,5 % of the total budget for rural development measures, while 55,8 % of all farms in the EU receive support under this regime;

152. Recalls that the term 'less-favoured area' was first defined in 1975, when Community support for such areas was introduced, and that since that time only slight adaptations have been made to this definition (Special Report 4/2003⁽³⁾, paragraph 5), so that current Community legislation now distinguishes between three categories of less-favoured area, which are:

- mountain areas;
- other less-favoured areas; and
- areas affected by specific handicaps;

153. Notes that since 1975 support rules have never been subject to a general assessment, and calls on the Commission to submit to Parliament, in good time for consideration during the next discharge procedure, a comprehensive evaluation report, whether or not all the Member States have complied with the legal obligation to supply the data required for such a report;

154. Notes two points of apparent concern:

- (a) it is the Member States' responsibility to classify areas as less-favoured;
- (b) in some Member States, these areas have been expanded considerably over the years⁽⁴⁾;

155. Notes, furthermore, that this increase inevitably concerns the last two categories, where 'less-favoured' and 'handicaps' are determined with the aid of statistical criteria related to national averages;

⁽¹⁾ OJ C 285, 21.11.2002, p. 1.

⁽²⁾ OJ C 273 E, 14.11.2003, p. 66.

⁽³⁾ OJ C 151, 27.6.2003.

⁽⁴⁾ The Court of Auditors points out that between 1975 and 1998, the percentage of less-favoured areas in Italy rose from 37,7 % to 53,6 % and in Ireland from 51,2 % to 70,9 % (SR4/2003:8). Previous reports show that the percentage in the Federal Republic of Germany went up from 33,1 % to 50,9 % in 1986 and from 50,9 % to 53,5 % in 1989, and in France from 40 % to 45,1 % in 1989 (Annual Report for 1990, Paragraph 9.21 in OJ C 324, 13.12.1991).

Wednesday 21 April 2004

156. Recalls that criteria may be adapted, and that changes may be made to the statistical basis used for the classification of 'normal' areas, which means that the definition of those areas which may be included in the last two categories is somewhat more flexible than, if not more vague than, the definition of areas that are clearly mountainous, as the rising number of the latter confirms;

157. Notes with satisfaction that the Commission responded to the Court of Auditors' previous remarks in 1993 by attempting to carry out an investigation into the classifications, but deeply regrets the fact that, under pressure from some Member States, the Commission failed to complete the investigation;

158. Is concerned at the Commission's difficulty in effectively asserting the Community's interests over national interests, and agrees with the Court that the provisions are seriously flawed in allowing the classification to be determined or altered by the individual Member States instead of by the Community;

159. Calls on the Commission to undertake, in its next follow-up report, a comprehensive and thorough review of the current classification of all less-favoured areas and, in addition, to draft a proposal for a periodic review of the situation of less-favoured areas and introduce an effective system not only to prevent the areas concerned from being extended but also allowing them to be reduced;

160. Notes that the individual Member States use a very wide range of different indicators to establish the boundaries of less favoured areas (17 indicators for productivity, 12 for economy and three for population) (Special Report 4/2003, paragraph 33 and Annex II), and that the Court noted during its audit on the spot that the wide range of different indicators may lead to discriminatory treatment of beneficiaries, particularly in border regions;

161. Calls, in this connection, for a review, no later than 15 June 2004, of the suitability and relevance of the current series of indicators, restricting them where possible and for them to be defined (or redefined) in such a way that they provide fewer opportunities for 'manipulation' by the Member States;

162. Regrets the fact that the Commission has not reacted to the risk of negative repercussions deriving from the unfortunate combination of Member States' responsibility for classification of less-favoured areas, the use of the wide range of indicators and the lack of evaluation;

163. Considers it absolutely essential for the Commission to monitor the situation, since individual Member States cannot be expected to send it information which may entail the Member State in question receiving less support; also takes the view that the Commission should have paid more attention to the inherent and obvious conflict of interest in the scheme between the Member States' and the Community's interests;

164. Calls on the Commission to investigate, and publicise in its next follow-up report, the effect of the introduction, since 1990, of conservation of the countryside as one of the grounds for entitlement to compensatory payments and the impact it has had on the scale of support payments;

165. Calls on the Commission to review the existing regime on overcompensation, so as to ensure that farms in similar conditions receive similar compensation and that the Member States take measures to prevent overcompensation that are mutually comparable, also supplying a clear and workable definition of the term 'overcompensation';

166. Suggests, in addition, that the compensatory allowances regime should include an appraisal of the structure of holdings' expenditure, so that, where the cost structure in a certain region is significantly higher than that of the average agricultural holding in other, normal regions, then this circumstance should be taken into account when granting compensatory allowances;

167. Calls on the Commission to adapt and update the definition of 'good farming practices', and to ensure that the Member States apply this condition consistently and supply the requisite documentation which proves that they have actually done so; points out, in this connection, that, in the 2004 budget, Parliament made available appropriations so that the use of environmental indicators might be further developed;

Wednesday 21 April 2004

168. Believes that the Commission should play a much more active role in the management and supervision of the compensatory allowance scheme and should, to this end, establish uniform minimum standards of control to be complied with when applications for aid are examined or on-the-spot checks are carried out; also believes that the Commission should brief Parliament on the extent to which Member States have satisfied the requirements of Article 48(2) of Council Regulation (EC) No 1257/1999 ⁽¹⁾ and on exactly what action it is taking in response; expects the Commission to lay down penalties for the event that Member States fail to comply and do not supply the requisite information about the manner in which they have administered the support scheme, for example, by reducing or suspending the payment of compensatory allowances;

169. Believes, furthermore, that, since the Financial Regulation requires support measures to have specific and quantifiable objectives, it would be better if the indicators for less-favoured areas were established on the direct basis of concrete objectives and the criteria for granting aid to farms were defined in performance-related terms; this would help prevent manipulation by the Member States;

170. Is concerned that, while the Management Committee plays a crucial role in implementing the support scheme, there is virtually no supervision of its activities and decisions;

171. Suggests that the Commission review the existing 22 agricultural support measures and consider whether some of them could be combined in the interests of more effective monitoring;

The Structural Funds

Implementation of the budget in 2002

172. Draws attention to the following analysis:

'In 2002, implementation of commitment appropriations was close to 98 %, cf. table 1. However, for payment appropriations the implementation rate was considerably lower, as was also the case in 2000 and 2001.

Table 1. Implementation of EU budget, 2000-2002

	Commitment appropriations			Payment appropriations		
	Authorised appropriations	Implemented	Implementation rate	Authorised appropriations	Implemented	Implementation rate
	EUR million		Per cent	EUR million		Per cent
2000	96 620	79 601	82,4	95 034	83 440	87,8
2001	106 924	103 333	96,6	97 160	79 987	82,3
2002	100 977	98 875	97,9	98 579	85 144	86,4

Source: 'Comptes Annuels des Communautés Européennes. Exercice 2001 et 2002.'

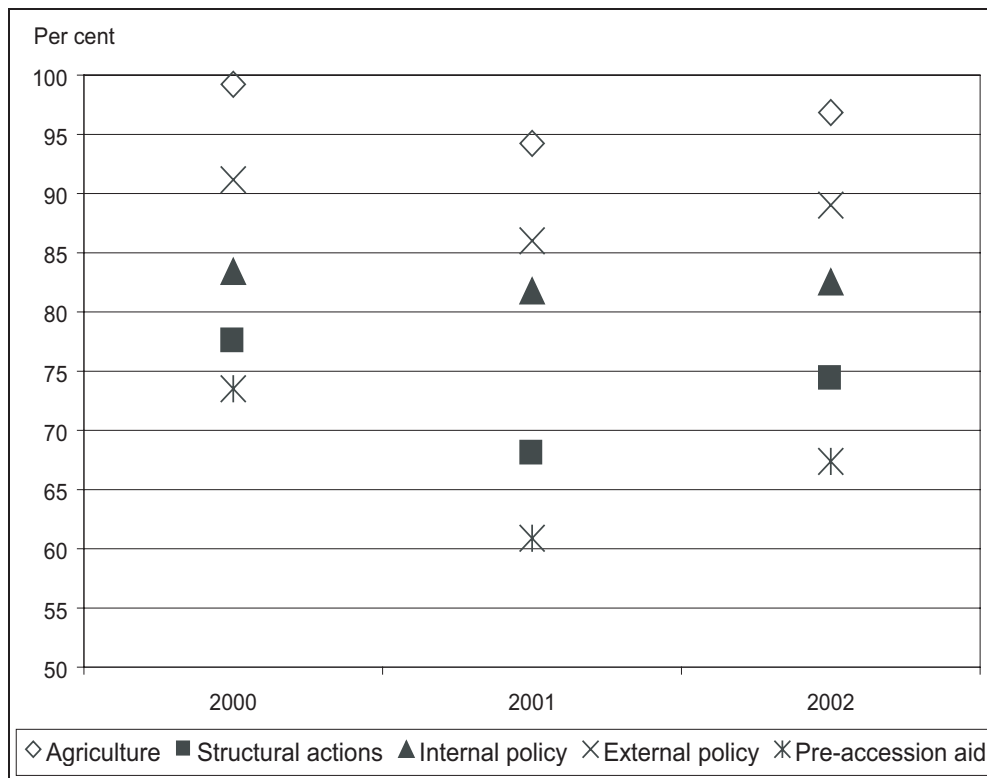
The budget consists of seven headings: 1) Agriculture, 2) Structural actions, 3) Internal policies, 4) External policies, 5) Administrative expenditure, 6) Reserves, and 7) Pre-accession aid. Implementation rates for payment appropriations vary significantly between the headings, with lowest rates for structural actions and pre-accession aid, cf. figure 1.

⁽¹⁾ 'Article 48

1. The Commission and the Member States shall ensure effective monitoring of implementation of rural development programming.
2. Such monitoring shall be carried out by way of jointly agreed procedures. Monitoring shall be carried out by reference to specific physical and financial indicators agreed and established beforehand.
Member States shall submit annual progress reports to the Commission.
3. Where appropriate, monitoring committees shall be established.'

OJ L 160, 26.6.1999, p. 80.

Wednesday 21 April 2004

Figure 1. Implementation rates, payment appropriations, 2000-2002.

Source: 'Comptes Annuels des Communautés Européennes. Exercice 2001 et 2002.'

Note: Implementation rates for administrative expenditure (heading 5) and Reserves (heading 6) are not included in the figure as the appropriations for these headings are of a different nature than for other headings.

The varying characteristics of the headings should be noted when comparing the implementation rates. E.g. for agriculture (heading 1), the implementation rate will to a large extent reflect developments in world market prices on agriculture products as well as the euro-dollar exchange rate. A low implementation rate may therefore rather indicate, e.g., a more advantageous development in the euro-dollar exchange rate than inefficient management.

For other parts of the budget (Structural Funds, internal policies, external policies and pre-accession aid), appropriations are mainly linked to multiannual programmes. The implementation of such programmes goes through various phases – from the calling and choosing of projects to actual implementation by contractors following tendering procedures. A low implementation rate may therefore indicate problems in one or more of these phases. Shared management exists for several programmes, i.e. some phases of implementation are mainly managed by the Commission, others mainly by the relevant authorities in Member States/beneficiary countries.

Structural Funds

In 2002, the implementation rate for payments to structural actions was just below 75 %. Around three-quarters of the under-implementation was due to lower than expected payments on old programmes, cf. table 2. All types of old programmes experienced very low implementation rates, e.g. the three largest headings (objective 1, objective 2 and Community initiatives) all had implementation rates below 20 %.

Wednesday 21 April 2004

Table 2. Payments for structural actions, 2002.

	Authorised appropriations	Implemented appropriations	Difference	Implementation rate
	EUR million			Per cent
New programmes (2000-2006)	24 289	22 326	1 964	91,9
Old programmes (before 2000)	7 314	1 173	6 141	16,0
Of which: Objective 1	3 388	609	2 779	18,0
Objective 2	1 600	243	1 357	15,2
Objective 3	500	0	500	0,0
Other actions	240	80	160	33,2
Community initiatives	1 478	181	1 297	12,2
Innovative actions/technical assistance	108	61	47	56,2
Total	31 603	23 499	104	74,4

Source: 'Comptes Annuels des Communautés Européennes. Exercice 2002.'

In 2002, payments on old programmes represented reimbursements of actual expenditure in Member States. The Commission based its proposal for payment appropriations on forecasts received from Member States. Thus, the very low implementation rates indicate that closure of old programmes progressed much slower than expected by the Commission and Member States.

Pre-accession aid

Pre-accession aid (heading 7) consisted of three programmes: PHARE (administrative assistance), ISPA (structural assistance) and Sapard (agriculture) ⁽¹⁾. All three programmes had relatively low implementation rates of payments – with Sapard showing a significantly lower rate than the two other programmes, cf. table 3.

Table 3. Implementation of payments for pre-accession aid, 2002.

	Authorised payment appropriations	Implemented payment appropriations	Implementation rate	Outstanding commitments (RAL)
	EUR million		Per cent	EUR million
Sapard	370	124	33,5	1 469
ISPA	506	398	78,7	2 6421
PHARE	1 596	1 101	69,0	4 305
Total	2 472	1 623	65,7	8 416

Source: 'Comptes Annuels des Communautés Européennes. Exercice 2002.'

Sapard had been considerably delayed, as it had taken longer than expected to establish decentralised management and control systems in candidate countries, a condition under the programme. For example, accreditation of the competent authorities did not take place until the second half of 2002 for Poland, Romania and Hungary. These three countries represented two thirds of appropriations ⁽²⁾.

For ISPA, the Commission explained that commitment appropriations were delayed and concentrated in the end of the year due to the fact that the ISPA management committee did not meet until mid-July. This naturally also caused delays in the implementation of payment appropriations.

⁽¹⁾ In 2002, amounts paid out to candidate countries from the Solidarity Fund were also included in heading 7. However, these amounts are not included in this analysis of implementation of pre-accession aid.

⁽²⁾ The Commission's explanations on implementation of pre-accession aid are available in section 2.6.5 of the Commission's Report on Budgetary and Financial Management for the Financial Year 2002.

Wednesday 21 April 2004

For PHARE, the Commission explained the low implementation rate by low payment requests from beneficiary countries by comparison with initial forecasts, as well as a concentration of commitment appropriations at the end of the year.

At the end of 2002, a considerable amount of outstanding commitments had been accumulated for all three programmes. For Sapard and ISPA, the outstanding commitments totalled more than EUR 4 billion. Contrary to Sapard and ISPA, PHARE was established earlier than 2000. However, of the outstanding commitments at the end of 2002, less than 12 per cent related to years earlier than 2000.'

173. Notes with satisfaction that implementation of commitment appropriations was higher in 2002 than in 2001 and 2000, but regrets that implementation of payment appropriations remained at an unsatisfactory low rate, leading to a very high surplus of the EU budget for the third year in a row;

174. Is in particular worried about the continuing low implementation of payment appropriations for structural actions and pre-accession aid – although the level of payment appropriations implemented in 2002 for these two headings in the budget was higher than in 2000 and 2001;

175. Notes that the main reason for the low implementation rate for payment appropriations for structural actions in 2002 was the far slower than expected closure of the old programmes; notes the Commission's progress report to the discharge authority examining the causes of this delay and evaluating means of preventing similar delays in closure for the programmes for 2000-2006;

176. Is surprised that the Commission has not published the guidance notes relating to the Sapard programme in all the languages of the new Member States, as requested in paragraph 81 of Parliament resolution of 8 April 2003⁽¹⁾ concerning discharge for the 2001 financial year; insists that the Commission remedies this situation at the earliest opportunity;

Member States' forecasts

177. Notes that a significant number of Member States failed to submit their forecasts for payment applications for the budget years 2002 and 2003 before the deadline of 30 April 2002 as required under the terms of Article 32(7) of Council Regulation (EC) No 1260/1999⁽²⁾ on Structural Funds; observes further that the overall error rate for the forecasts for all programmes amounted to 73 %, with two-thirds of this total being attributable to the excessively unrealistic forecasts coming from five Member States;

178. Urges the Commission to consider introducing a sanctions mechanism in the Regulation (EC) No 1260/1999 for the upcoming programme period (2007-2013), particularly in the case where the 2004 and 2005 forecasting exercises fail to demonstrate a continued improvement;

179. Calls on the Commission to consider a system whereby a difference between the amount requested and actual requirements of more than x % in a specific year will entail the obligation to submit estimates for subsequent years accompanied by a report drawn up by an independent auditor, and, if this difference persists, the amount granted may be reduced by the same proportion as the surplus;

Simplification

180. Notes that the Commission has taken an initiative to ensure simplification, clarification, coordination and flexible management of the structural policies for 2000-2006, and notes the Commission's report to the discharge authority on measures taken and on to what extent the measures have contributed to faster and/or better implementation;

The N+2 rule

181. Welcomes the N+2 rule as a means of providing Member States with an incentive to implement Structural Fund programmes and considerably reducing the volume of RAL; insists that this rule must be consistently and conclusively applied, not only during the current programming period (2000-2006) but also during the next programming period (2007-2013);

⁽¹⁾ OJ L 148, 16.6.2003, p. 21.

⁽²⁾ OJ L 161, 26.6.1999, p. 1.

Wednesday 21 April 2004

182. Welcomes the Commission's announcement that it will provide Parliament every quarter with a breakdown of the situation as regards the application of the N+2 rule, as Parliament requested in paragraph 27 of its resolution of 22 October 2003⁽¹⁾ on Structural Funds; trusts that cooperation between the two institutions in connection with this 'monitoring' activity will bear fruit, with particular regard to the identification of the reasons for the constant problems encountered in project realisation and of the best methods for managing projects;

Reasons for underutilisation

183. Takes the view, having regard to continued underutilisation of payment appropriations under the Structural Funds, which are a part of non-compulsory expenditure and one of Parliament's high-priority objectives, that the Commission must improve its analysis of the reasons for underutilisation;

184. Requests the Commission to draw up an analysis discussing in detail:

- (a) all stages in the management of a project plus associated activities
- (b) which stages come under Member State and Commission management and responsibility respectively,
- (c) indicators for satisfactory/unsatisfactory implementation of the various activities at each stage,
- (d) what problems have been identified at what stage,
- (e) a comprehensive analysis of the problem which clearly identifies the source (Member States or Commission);

185. Requests the Commission to note that a significantly improved analysis of the reasons for underutilisation is necessary in order to counter the widespread (erroneous) view that the Union's executive authority, the Commission, is refusing to implement the policy adopted by the Union's legislative authority, Parliament and the Council, in this domain;

186. Takes the view that the Commission can usefully publish the results of its checks in the Member States concerning the application of vital elements such as, for instance, the additionality principle, financial control, expenditure eligibility and public procurement because — in addition to improving management transparency — it will enable the institutions and bodies involved to compare their results in the same way that present and future programme staff can benefit from former colleagues' experience;

187. Welcomes the Commission's initiative to ask the Member States to submit yearly reports on the implementation of control activities in 2002 and expresses the wish to receive a summary report thereon;

Structural Fund effectiveness

188. Asks the Commission to include in its annual cohesion report to Parliament an assessment of the influence of the Structural Funds on the degree of economic inequalities between regions, comparing the results obtained by region and by fund, and referring where relevant to the influence on effectiveness of the quality of the institutions in the beneficiary regions;

Implementation of Regulations (EC) No 1681/94 and 438/2001

189. Notes the findings of the review carried out by OLAF and the Regional Policy DG into the systems and procedures used by the Member States for reporting irregularities and the recovery of amounts unduly paid; notes, on the basis of those findings, that, in 2002 and 2003, the Member States were still uncertain as to the correct application of some of the provisions of Commission Regulations (EC) No 1681/94⁽²⁾ and 438/2001⁽³⁾; notes the follow-up and/or simplification measures announced by the Commission with a view to the elimination of such uncertainty; calls on the Commission to report back to Parliament on the progress made towards the attainment of that objective;

⁽¹⁾ P5_TA(2003)0448.

⁽²⁾ OJ L 178, 12.7.1994, p. 43.

⁽³⁾ OJ L 63, 3.3.2001, p. 21.

Wednesday 21 April 2004

Issues related to the future of the Structural Funds

190. Asks the Commission to undertake an initiative to guarantee, as far as possible, the allocation of Objective 2 funds to the areas most gravely affected by structural problems, with national decisions being harmonised at Community level; ⁽¹⁾

191. Shares the Commission's hope that delays can be avoided for the legislative proposals for the forthcoming programming period and that the procedure can be prepared by 1 January 2007 ⁽²⁾;

192. Shares the Commission's concern over the problems related to translation that will arise soon, and urges it to prepare the appropriate budgetary forecasts ⁽³⁾;

193. Urges the Commission not to relax its efforts to obtain a review of the systems for administration and supervision of Community initiatives so as to secure a 'reasonable guarantee' ⁽⁴⁾;

194. Strongly welcomes the coupling of the map of regions eligible for Structural Fund aid with the map of authorisations of national regional aid ⁽⁵⁾;

195. Calls on the Commission to study the effects of the participation of private funds in cofinancing projects benefiting from the Structural Funds, and to adopt measures where appropriate to encourage such participation;

Internal policies and research

196. Notes that responsibility for implementing internal policies is divided between 13 Directorates-General;

197. Asks the Commission to devise procedures to enhance the consistency of the ex-ante and mid-term evaluation processes so as to ensure that a more consistent information basis is created for ex-post evaluation;

198. Calls on the Commission to submit a report on the progress of and the activities planned to enhance the integration of the social and environmental objectives laid down in Lisbon and Gothenburg in the programming and evaluation of the Structural Funds at both Community and Member State level;

199. Congratulates the Court of Auditors on its interesting analysis of selected annual activity reports and declarations for 2002 of certain Directorates-General ⁽⁶⁾, and notes that:

- (a) all the Directorates-General concerned claimed to have reasonable assurance that the funds for which they were responsible had been legally and regularly spent (6.11);
- (b) all the Directorates-General examined included reservations concerning the regularity of payments for the multiannual research programme and the failure to implement internal control standards (6.19);

200. Fully endorses the Court's conclusion that 'the weaknesses reported in the reservations are not consistent with the reasonable assurance given in the Declarations of the Directors-General' (6.19);

201. Looks to the Commission to intensify implementation of internal control standards, to put a figure to the financial or economic effect of the reservations and to bring coherence and consistency to relations between 'reservation' and 'reasonable certainty';

⁽¹⁾ Replies to the questionnaire — Part I; Commission's reply to question No 75 (PE 328.732/fin. 1).

⁽²⁾ Replies to the questionnaire — Part I; Commission's reply to question No 78 (PE 328.732/fin. 1).

⁽³⁾ Replies to the questionnaire — Part I; Commission's reply to question No 79 (PE 328.732/fin. 1).

⁽⁴⁾ Replies to the questionnaire — Part I; Commission's reply to question No 83 (PE 328.732/fin. 1).

⁽⁵⁾ Replies to the questionnaire — Part II; Commission's reply to question No 39 (PE 328.732/fin. 2).

⁽⁶⁾ Directorate-General for Energy and Transport, Directorate-General for Research, Directorate-General for the Information Society and the Directorate-General for Legal and Internal Affairs.

Wednesday 21 April 2004

202. Notes that the rates of utilisation of payment appropriations (chapter B2-7) for transport policy, particularly security in this sector, are once again inadequate, although there are reasons for this, such as delays in the implementation of actions by contractors and stricter rules applied by the Commission, entailing a slowdown in payments;

203. Notes that the Court of Auditors has consistently developed and expanded its examination of the management system for the trans-European transport networks (TEN-T) which it launched in the 2001 annual report, and that it has monitored in detail the Commission's follow-up of the 2001 recommendations;

204. Notes, in particular, that the Court adheres to its previous view that in order to remedy a number of weaknesses in Commission decisions, there is a need to strengthen the legal framework for the TEN-T programme by concluding contracts between the Commission and the recipient after the Commission's decisions to grant aid have been taken (6.25);

205. Expresses concern regarding the highly disappointing progress made with several TEN-transport projects, despite the high level of utilisation of payment appropriations; the Court of Auditors in its 2002 annual report indicated that some of the projects monitored in 2002 would have proceeded even without Community financial assistance, which may suggest that some projects are not of sound quality or that implementation mechanisms are inadequate;

206. On the basis of the conclusions of the Court of Auditors, calls on the Commission to use part of these resources to fund projects in the transport sector which would have difficulty securing funding from other sources;

207. Notes that the Court puts forward the following recommendations, among others, with a view to improving controls:

- (a) more precise definition of 'eligibility of costs' (6.27);
- (b) introduction of a standardised cost claim form (6.26);
- (c) coherent and consistent application of the TEN-T rules in all Member States (6.38);
- (d) checks to be more effective and better documented (6.40);
- (e) ex-post financial and technical audits to complement on-the-spot checks prior to final payment (6.41);

208. Welcomes the fact that the Commission, in its replies to the Court of Auditors, has announced its willingness to comply with the Court's recommendations and, in some cases, that it has already started to do so;

209. Calls on the Court to continue its detailed monitoring of the management system for the trans-European transport networks and to report⁽¹⁾ on the following questions which are of fundamental importance for the discharge authority:

- (a) which of the recommendations proposed by the Court in 2001 and/or 2002 has the Commission accepted and satisfactorily implemented?
- (b) which recommendations does the Commission reject, what is its justification for rejecting them and what is the Court's position on that justification?
- (c) which recommendations is the Commission in the process of implementing and what is the Court's view regarding the pace at which these accepted recommendations are being implemented?

210. Notes that the Court points out that the five Directorates-General⁽²⁾ involved in implementing the research framework programmes manage and coordinate ex-post audits in different ways and that they do not follow the same procedures when selecting contractors to be audited (6.47);

211. Considers that the Commission could introduce a coordination or synthesis system which will make it possible to obtain synergies from the remarks contained in the audit reports for each Directorate-General;

⁽¹⁾ Possibly in the form of a letter to the chairman of its competent committee on budgetary control before the next annual report.

⁽²⁾ Directorate-General for Research, Directorate-General for the Information Society, Directorate-General for Energy and Transport, Directorate-General for Industrial Policy and Directorate-General for Fisheries.

Wednesday 21 April 2004

212. Calls on the Commission, following inter alia the criterion of simplification, to consider how it would be possible to avoid the numerous errors at the final recipient level, where audits have shown that in many cases expenditure was over-declared (6.51); also expects the Commission to step up the process of recovering amounts unduly paid;

213. Welcomes the introduction of audits to certify statements of expenditure under the Sixth Framework Programme for Research and Technological Development, and expects to receive a final report on the audits carried out in relation to previous framework programmes;

214. Calls on the Commission to carry out a study, on the basis of an analysis of the geographical destination of funds under the Fifth Framework Programme, into how research funding can help to strengthen regional development and thereby counteract the increasing concentration of scientists and researchers in an ever smaller number of universities and research institutions, using new technologies to achieve scientific cooperation and promote deconcentration;

Employment and social affairs

215. Expresses general satisfaction with the implementation rates of budget headings for employment and social affairs in terms of internal policies;

216. Deplores, however, the very low rate of implementation of headings B5-502 (Labour market), B5-502A (Labour market — expenditure on administrative management), and B5-503 (Preparatory measures for a local commitment for employment);

Environment, Public Health and Consumer Protection

217. Expresses general satisfaction with the high implementation rates of the budget headings for environment, public health and consumer policy;

218. Welcomes the decision by the Commission to transfer part of the administrative appropriations on budget line B7-8110A to operational expenditure to reduce under-utilisation of funds; urges the Commission to transfer any administrative appropriations that will probably not be used by the year end to lines for operational expenditure, by means of requests for transfers of appropriations; this would allow optimum use to be made of the available funds;

219. Underlines the fact that the impact of environment programmes is often hampered by the lack of assessment of environmental impacts of other Community legislation and programmes, especially in the field of the Structural Funds, and believes that a systematic use of strategic environment assessments (SEAs) can be a powerful instrument to avoid such problems in future;

220. Is concerned about the low number of officials in DG Environment dealing with infringement procedures, in particular as environment-related cases represent almost one-half of the infringement cases started in 2002 and over one-third of all complaints related to bad application of EU law, and calls upon the Commission to significantly increase the number of officials in this sector in accordance with its task of being the guardian of the Treaties, thus responsible for the correct implementation of EU environmental legislation;

221. Calls for increased use of environmental criteria in selection procedures for Community appropriations (invitation to tender, awarding of contracts) in order for the EU to take the lead in greening public procurement;

Equal opportunities

222. Notes that, in the framework of the establishment of the budget for 2002, the Commission organised its activity around six priority objectives, namely the euro, sustainable development, development cooperation, the Mediterranean, enlargement, and the new governance, and that these objectives have guided the Commission's work planning, the process of drawing up the budget and the use of resources;

Wednesday 21 April 2004

while endorsing the priorities, notes that under Article 3(2) of the Treaty the promotion of gender equality is a fundamental principle of the EU and a horizontal objective of all Community actions and policies; calls on the Commission, therefore, to ensure that gender equality is henceforth one of the priority objectives of its strategic planning, in such a way as to ensure gender mainstreaming in the definition of income and expenditure under all policies included in the budget;

223. Welcomes the fact that the Action Programme for Equality between Men and Women (2001-2005) will be opened up in 2002 to the participation of the accession countries; stresses that, under the 2002 budget and, in particular, in the framework of Community assistance to the accession countries, gender mainstreaming should be applied to all measures; calls, therefore, on the Commission to submit a state-of-progress report on the projects and actions for promoting equality in those beneficiary countries of the Community's contribution, as well as on the level of that contribution; calls on the Commission, in addition, to draw up an interim evaluation report on the 2001-2005 action programme, including data on the funds allocated to the projects undertaken in the different fields of the programme;

224. Regrets, in the absence of proof to the contrary, the circumstance of funds having been allocated from the indubitably important Community initiative EQUAL to activities whose impact on promoting equality has not been assessed;

Enlargement

Enlargement and sound financial management

225. Points out that the forthcoming enlargement to include Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia is the largest-ever enlargement in terms of both scale and diversity;

226. Draws attention to the fact that the enlargement will put pressure on economic resources, will make complicated decision-taking procedures even more complicated, and will thus make further demands in terms of financial management; considers that the Commission and the Member States ought to use the opportunity to initiate a process designed to enhance financial management transparency in order to boost public confidence in Community management;

227. Calls on the national supreme audit institutions to play an active part in this process with a view to adopting a specific policy on auditing EU funds, drawing up an annual report on the management and use of EU funds in their country, and submitting it to their government and parliament, the other Member States' governments, parliaments and audit institutions, the Commission and the European Parliament;

228. Considers not only that there should be more audits of the use of EU funds, but also, in particular, that auditing should be made more effective, and urges all the parties involved to do everything possible to ensure that:

- (a) common audit standards are introduced in the present and future Member States;
- (b) the national supreme audit institutions in the present and future Member States are provided with mechanisms which will make it possible to perform the same audit tasks as those performed by the Court of Auditors at Community level;
- (c) cooperation between national supreme audit institutions is encouraged;

229. Congratulates the accession countries on the progress they have made in meeting the criteria for their accession;

Wednesday 21 April 2004

230. Takes the view that enlargement will make great demands in terms of the information to be provided by the Commission to the discharge authority and to the public, and that it can be improved if the Commission:

- (a) structures the information in the report on budgetary and financial management in the financial year (Article 128(3) of the Financial Regulation) in such a way that it corresponds to the various policy areas;
- (b) provides detailed information on implementation of the various funds in the individual Member States;
- (c) states clearly, in a concise overview, which DGs are involved in the implementation of the various policy areas;
- (d) compiles information in such a way that it can be used by national supreme audit institutions in their own audits;
- (e) publishes its audits of Member States' management and control systems;
- (f) adjusts in general to the fact that information must be compiled in such a way that it is accessible and comprehensible to all, not only to Member State finance ministries;

231. Takes the view that, since far and away the largest proportion of the EU budget is implemented on a shared-management basis, meaning that the Commission delegates budget implementation duties to the Member States, i.e. to 15 and, after 1 May 2004, 25 heterogeneous ministries and administrative bodies and traditions, EU standards ought to be laid down which make it possible to verify that all 25 Member States use budget appropriations in accordance with the principle of sound financial management, i.e. in accordance with the principles of economy, efficiency and effectiveness;

232. Notes that it is the Commission's responsibility to ensure that EU legislation is implemented by the Member States; notes that the average infringement case takes three years before a final judgment is handed down and that there have only ever been two cases where a Member State was fined for not implementing EU legislation; is concerned that enlargement will increase the workload of the Commission with regard to its monitoring of the implementation of legislation and will further slow the infringement procedure; is concerned that no Commissioner is responsible for such an important issue; urges the incoming Commission President to include special responsibility for infringements in the portfolio of one of the new Commissioners;

Pre-accession environmental projects and twinning arrangements

233. Calls for particular attention to the needs of national, regional and local authorities in institution-building in the environmental sector when awarding aid before or after accession;

234. Notes that twinning is seen not only by the Commission but also by the candidate countries as an important way of strengthening the latter's administrative capacity; would nonetheless like to see the following improvements made to the programme so that the Commission can achieve the desired outcomes:

- (a) setting of specific and realistic objectives,
- (b) all stages of project preparation should be rationalised,
- (c) payment procedures should be speeded up and simplified,
- (d) use of twinning on the basis of an informed choice between various instruments,
- (e) the Commission should establish a network of seconded national experts (pre-accession advisers) so as to preserve specific experience and expertise;

235. Expects that the Commission will produce a global report, no later than 15 June 2004, on the successes and shortcomings of the 503 projects approved between 1998 and 2001⁽¹⁾;

⁽¹⁾ Replies to questionnaire — Part I; Commission's reply to question 99.

Wednesday 21 April 2004

236. Calls for the extended decentralised information system (EDIS) to be implemented in all the applicant countries as soon as possible and once a Commission audit has validated the quality of their management and control systems; notes that thanks to EDIS the Commission should be able to move from ex ante to ex post control of tendering and contracting;

237. Calls on the applicant countries to draw up sustainable and viable environmental and financial strategies;

238. Draws attention to the importance of cooperation with the international financial institutions with regard to financial aid;

239. Draws attention to the need to improve absorption capacity by allocating more resources to project design and the organisation of tendering procedures;

240. Wishes to know the level of participation of private companies in the twinning projects and the effects of such participation⁽¹⁾;

External measures

Organic issues

241. Notes that, as a result of the complicated reorganisation of Commission departments dealing with external relations, the Court regards 2002 as 'a transitional year'; considers that the reorganisation could have been more extensive since there are still six different DGs and various departments sharing responsibility for external relations⁽²⁾;

242. Therefore urges that the number of DGs responsible for external policy be substantially reduced;

243. Notes with satisfaction that the Court's audit concentrated on the supervisory and control systems designed to ensure the legality and regularity of transactions and welcomes the Court's findings that both 'administrative procedures and organisational structures have been adjusted appropriately by both the EuropeAid Cooperation Office and the Humanitarian Aid Office to cater for the introduction of the new Financial Regulation which entered into force on 1 January 2003' (7.40);

Controls relating to external measures

244. Notes that the Court finds it questionable whether the Director-General of the EuropeAid Cooperation Office had sufficient information to declare that he had obtained reasonable assurance as to the quality of the supervisory and control systems set up to ensure the legality and regularity of the underlying transactions (7.39);

245. Notes also that the Court attributes the lack of quality in the supervisory and control systems to the fact that no overall auditing strategy was established to ensure that sufficient information was available at senior management level (7.10);

246. Looks to the Commission, therefore, to lay down guidelines for the use of independent external auditors, their selection, their terms of reference and reporting requirements; considers that the Court's recommendation in this respect should be accompanied by guidance designed to improve the drafting of these guidelines;

247. Stresses that, under any circumstances and as recommended by the Court, it should be the Commission or its delegations — and not the implementing organisations — that decide on the selection of external auditors and lay down detailed terms of reference and precise requirements in respect of the presentation of audit reports (7.44);

248. Underlines the importance of evaluating the results of the reform of the external aid management as soon as sufficient experience of new structures and procedures has been gained; would welcome a specific evaluation report from the Court of Auditors;

⁽¹⁾ Replies to the questionnaire — Part I; Commission's reply to question No 103.

⁽²⁾ External relations, EuropeAid, Trade, ECHO, Enlargement and Development.

Wednesday 21 April 2004

249. Stresses that major and recurrent implementation problems like the ones encountered in the TACIS region and in other regions should routinely be reported by the Commission to the Budgetary Authority and the Court; emphasises that these reports should include analyses of causes as well as accounts of action taken or planned in response to the problems – all in clear language and indicating how further succinct information on different aspects can be obtained;

250. Stresses that greater coherence between different EU policies can improve the efficiency of EU expenditure; points to the simultaneous provision of macrofinancial assistance to Moldova and the maintenance of high import barriers against most products which that country could export to the EU as a clear example of incoherent policies causing an efficiency loss;

251. Fully shares the Court's view that there is a need for stronger measures to render crossborder cooperation over the external borders more effective; calls on the Commission and Council to ensure that Neighbourhood Programmes are launched without delay and that a Neighbourhood Instrument is created, so that a definitive end can be put to the problems caused by the mismatch of the instruments currently used for crossborder cooperation;

252. Welcomes, also, the Court's call for consideration to be given to amending Commission Regulation (EC) No 2760/98⁽¹⁾ on the PHARE cross-border cooperation programme, so as to make regions bordering third countries also eligible for support;

253. Expects the Commission to provide an explanation each time it does not follow a provision laid down in a budgetary remark;

Development policy

254. Draws attention to the principal objective of the Community's development policy, which is to reduce poverty with a view to its eventual eradication⁽²⁾, and highlights the endorsement given by the Commission and all Member States to the Millennium Development Goals (MDGs) as the means by which this objective is to be achieved;

255. Recalls that in the past a lack of statistical data hampered attempts to analyse the level of poverty focus in the Commission's development programmes; welcomes the introduction of the Common Relex Information System (CRIS) which, along with other databases, gave fully reliable figures for the first time in 2002;

256. Congratulates the Commission on meeting the global benchmark, introduced in the 2002 budget, requiring 35 % of annual development commitments to be allocated to 'social infrastructure and services' as defined by the OECD Development Assistance Committee (DAC); observes, however, that aid reported to the DAC under this heading amounted to only 31,4 % and that the shortfall was made up of 'macro-economic assistance with social sector conditionality', which was included in the benchmark formula at the request of the Commission and for which the link to poverty reduction is less direct;

257. Notes that the benchmark formula requires the 35 % to be allocated 'mainly (to) education and health' which are the two sectors most prominent in the MDGs; observes, further, that the figures reported to the DAC for 2002 commitments in these sectors⁽³⁾ remain far from this target, and that structural adjustment programme conditionalities are most unlikely to make up such a large shortfall; notes, however, that the regional figures for Asia and Latin America show notable progress; calls on the Commission to build on this achievement by making improvements in the figures for other geographical areas in future years;

⁽¹⁾ OJ L 345, 19.12.1998, p. 49.

⁽²⁾ The European Union's Development Policy, conclusions of the 2304th meeting of the Development Council 10 November 2000.

⁽³⁾ 4,1 % for education and 3,0 % for health. These figures include sector-specific budget support.

Wednesday 21 April 2004

258. Points out that the figure for 'social infrastructure and services' includes an allocation of 13,5 % for 'government and civil society' of which the largest single element is EUR 319,9 million for 'economic and development planning'; notes that this is principally aimed at administrative support and that its direct relevance for poverty reduction is therefore questionable;

259. Regrets that the Commission has not provided an analysis of its contribution towards achieving the MDGs but has limited its study⁽¹⁾ to measuring the progress made by developing countries towards this objective; considers that assessment of the effectiveness of Commission programmes is hampered by the absence of such an analysis;

260. Supports the Commission's policy of deconcentrating decision-making to the external delegations, 44 of which completed the process in 2002; welcomes the improvements that have already resulted from this⁽²⁾; derives reassurance from the reinforcement of delegation staff and the training programmes established for them, as well as from the controls exercised by headquarters; warns nevertheless that delegation staff should not be burdened with excessive levels of reporting to headquarters as this would risk negating the benefits of deconcentration;

261. Expresses concern at the increase in the use of macroeconomic assistance in 2002, and particularly at the Commission's willingness to use this modality in cases where other donors consider minimum requirements have not been met; notes that the Commission has drawn up an analysis of the risk associated with external assistance, and calls for this to be communicated to Parliament without delay; takes the view that budget support is more effective when targeted on a specific sector, and that key horizontal fields⁽³⁾ may be addressed through a sector-wide approach in the area of public finance;

262. Recognises the achievement of the Commission in reducing year-on-year levels of abnormal RAL but remains concerned that the total level continues to rise when successive budget years are added into the figures; calls on the Commission to redouble its efforts to bring this problem under control;

Humanitarian aid

263. Notes that the 2002 annual report from the Humanitarian Aid Office — ECHO (COM(2003) 430), setting out the humanitarian actions financed by the Commission to a total, over the year in question, of EUR 537,8 million, provides large numbers of details which, albeit useful, do not allow the reader to form a global picture of Community action, since insufficient attention is paid to horizontal issues;

264. Calls on the Commission to find and utilise a larger number of NGOs and charity partners;

265. Takes the view that no NGO or organisation should be able to bid exclusively or to receive 100 % of the appropriations entered against any one budget line;

266. Calls on the Commission to supplement its future annual report with a general presentation of the strategic lines followed over the financial year, including an analysis of the value added supplied by Community humanitarian aid and an outline of ECHO's procedures; believes the report should also include a presentation of the methods used to estimate humanitarian requirements, together with detailed information on the assessments and audits carried out during the year concerned by the report, as well as their conclusions; considers, finally, that other horizontal issues should be included — e.g. the risk of manipulation, abuse and looting, and measures to ensure that humanitarian aid reaches its proper destination — where they impact on the definition and implementation of Community humanitarian aid;

⁽¹⁾ Outlined in the Annual Report on the EC Development Policy and the Implementation of External Assistance in 2002, Chapter 3.

⁽²⁾ Among improvements observed by the Commission are: reduction in time taken for tenders and calls for proposals and implementation of better-quality programmes.

⁽³⁾ public service, public contracts, external audit, etc.

Wednesday 21 April 2004

267. Trusts that the evaluation of the food security instrument in 2004 will provide a sound diagnosis and that, in the case of integration into the overall development programme, there will be no devaluation or dilution of the food security objectives⁽¹⁾;

Transparency of the Commission's operations vis-à-vis the European Parliament

268. Deeply regrets that, since 2000, the Commission has failed to submit an annual report to the European Parliament on the operations financed under Council Regulations (EC) No 975/1999⁽²⁾ and 976/1999⁽³⁾ (on the European Initiative for Democracy and Human Rights, Chapter B7-70, where the 2002 appropriation amounted to EUR 104 000 000) in breach of Article 18(2) and Article 19(2) of those Regulations; demands that the Commission provide the European Parliament immediately with the annual reports for 2001, 2002 and 2003, which, as laid down in the Regulations, should include 'a review of any external evaluation exercises which may have been conducted'; calls on the Committee on Budgetary Control to review the Commission's failure in this regard and also to provide a qualitative analysis of the results achieved by the Commission's operations under this chapter of the budget;

Administrative expenditure

The invalidity pensions scheme of the European institutions

269. Expresses its satisfaction at the Special Report No 3/2003 of the Court of Auditors on the invalidity pensions scheme of the European institutions⁽⁴⁾ and notes with satisfaction that, according to the Court's medical experts, invalidity pensions are awarded correctly (point III);

270. Draws attention to the fact that periods of sick leave have considerable economic consequences and it is therefore necessary and important for the institutions to apply a general policy laying down the measures necessary to manage all aspects of sick leave in an appropriate manner;

271. Deplores the fact that, according to the Court, the institutions are not able to guarantee fully:

- (a) the necessary assistance for staff who are unable to work for long periods,
- (b) the efforts required to reduce absences as far as possible, in the interests of staff and the corresponding department,
- (c) that regular attendance at work is not adversely affected by inappropriate assignments of duties or inappropriate working conditions (Special Report 3/2003, paragraph 21);

272. Regrets that, as stated by the Court, the imprecise allocation of roles and responsibilities between the parties involved — the department in which the official or other servant works and the medical and personnel services — has led to a situation where only the most mechanical and bureaucratic aspects of the management of absence actually function — reporting absence and maintaining records — whilst it is not clear who is responsible for essential functions and activities of an effective and forward-looking policy on the management of sick leave, such as:

- (a) contact with the member of staff during his or her absence,
- (b) monitoring absence rates for each member of staff and in the institution as a whole, and the benchmarks to be applied,
- (c) identifying patterns of absence which cause concern and taking the necessary measures,

⁽¹⁾ Replies to the questionnaire — Part I; Commission's reply to question No 104 (PE 328.732/fin. 1).

⁽²⁾ OJ L 120, 8.5.1999, p.1.

⁽³⁾ OJ L 120, 8.5.1999, p. 8.

⁽⁴⁾ OJ C 109, 7.5.2003.

Wednesday 21 April 2004

- (d) deciding whether to carry out medical checks and in what circumstances,
- (e) deciding whether interviews should be conducted with the member of staff after his return to work, and by whom, in what circumstances, how and for what purpose (Special Report 3/2003, paragraph 22);

273. Expresses its deep concern on noting that the inadequacies and shortcomings in policy on the management of absences and cases of invalidity are due to 'a lack of senior management commitment' (Special Report 3/2003, paragraph 74c);

274. Points out that the Court estimates that around EUR 10 million could be saved each year if monitoring systems were set up making early detection and treatment possible for people who are absent on sick leave repeatedly or for prolonged periods (Special Report 3/2003, paragraph 55);

275. Considers that a sound workplace is characterised by a low rate of sick leave and that improved opportunities for development, greater variety of work, greater recognition and increased opportunities for the future strengthen the motivation not to be absent from work;

276. Expects the institutions to carry out an analysis of sick leave as soon as possible, with a breakdown of leave by department, gender, age, category and duration of sick leave, with the aim of acting on the Court's recommendations as regards the introduction of a general policy on the management of sick leave and invalidity;

277. Expects the institutions to draw up a report every two years on the implementation of the above measures, and expects the senior management of the institutions to pay greater attention to the scheme's economic management as well as to the aspects concerning the working environment and personnel management;

Procurement practices

278. Notes that the calls for tender issued by the Commission before 2000 for the supply of office paper specified a whiteness degree of just 80 % but notes, further, that the corresponding calls for tender issued since 2000 have specified a degree of whiteness of more than 90 % and that this has resulted not only in higher costs for the Community budget but also in the elimination of competition and a deterioration in the ecological situation with regard to paper use; calls on the Commission, therefore, to set the specified degree of whiteness at an appropriate level once again so that due account may be taken of those factors which affect the environment and competition;

Financial instruments

279. Recalls its resolution of 21 November 2002⁽¹⁾ on the EIB Annual Report for 2001 which called on the EIB, the Court of Auditors and the Commission to amend the tripartite agreement; is satisfied that the new tripartite agreement signed on 27 October 2003 significantly improves the procedures involving the three institutions; is particularly satisfied with the clarification that the Court of Auditors is authorised to audit both the guarantee and the underlying transaction when the EIB provides loans guaranteed by the EU budget; recalls that such EIB loans guaranteed by the EU budget amounted to almost EUR 14 billion at year-end 2002;

280. Fully supports the conclusions of the Court with regard to the Financial Mechanism (paragraphs 10.35 and 10.39 of the Annual Report for 2002), that final payments should be carried out only on the basis of appropriate certificates issued by the competent authorities of the Member States and that greater efforts are needed to identify suitable investments and to take into account overall project realisation, particularly in order to avoid damage to the environment;

281. Calls on the Commission to report as soon as possible to Parliament and to the Court of Auditors on the findings of the internal audit of its banking operations, currently being carried out under the direct responsibility of the Commission, which should address the need for changes in the control environment, including ex-post controls;

⁽¹⁾ OJ C 25 E, 29.1.2004, p. 390.

Wednesday 21 April 2004

282. Calls on the Court to include in its work programme an audit of projects financed through EIB loans backed by a Community guarantee; recommends that environmental projects in the Baltic Sea basin of Russia⁽¹⁾ be included in the audit programme;

283. Recalls that the audit of the financial management of the Guarantee Fund for external actions is subject to audit by the Court of Auditors in accordance with procedures to be agreed upon by the Court of Auditors, the Commission and the European Investment Bank; calls for a revision of these procedures in the spirit of the new tripartite agreement;

284. Notes that the fee structure for the management of the Guarantee Fund for external actions was negotiated on a commercial basis with the EIB; regrets that neither the Commission nor the Court has been provided with detailed information on the EIB's cost structure with regard to the treasury management of the Guarantee Fund; calls on the Commission to submit a proposal for the amendment of the current Council Regulation on the Guarantee Fund so that it may take over the portfolio management from the EIB from 2005 onwards;

285. Recalls that the Commission holds 30 % (EUR 600 million) of the shares of the European Investment Fund (EIF), the cumulative portfolio of signed EIF operations (investment in venture capital funds and in the SMU guarantee markets) amounting to about EUR 7 billion at year-end 2002; notes that there is currently no agreement in force for the audit of the EIF by the Court of Auditors; emphasises that, pursuant to Article 248 of the Treaty, the Court is nonetheless entitled to undertake a comprehensive audit of the EIF and its operations; calls on the Court to include an overall audit of the EIF in its work programme so as to ensure that the financial management of the Fund is sound (compliance with the principles of economy, efficiency and effectiveness);

286. Takes the view that the rulings of the Court of Justice (in Cases C-11/00 and C-15/00) on EIB and European Central Bank cooperation with OLAF must be applied, by analogy, to the EIF as well; calls on the EIF, therefore, to take an immediate decision on internal OLAF inquiries in accordance with the Regulation (EC) No 1073/1999;

287. Is concerned by the statement made by the Court of Auditors (point 10.36 of the Annual Report) that the EEA Financial Mechanism clearly caused undesirable displacement; shares the Court's view (point 10.35) that greater efforts are needed to identify suitable investments; calls for any environmental damage caused during project realisation to be avoided or made good, and insists that final payments should be carried out only on the basis of appropriate certificates issued by the competent authorities or by an independent auditor;

288. Notes that the Commission has not yet answered the question posed by the Court of Auditors (point 10.33 of the Annual Report) as to whether the regional authorities in Galicia gave preference to national products in breach of the Protocol on the Statute of the European Investment Bank which states: 'Neither the Bank nor the Member States shall impose conditions requiring funds lent by the Bank to be spent within a specified Member State'; recalls that, where appropriate, the recovery of undue payments may be required; calls, in this instance too, on the Commission to submit a report on this issue by September 2004 at the latest and to include in that report, where appropriate, an assessment of similar problems with regard to the Cohesion Fund where, in the past, the Commission had complained about non-compliance with the provisions relating to the award of public contracts.

⁽¹⁾ Council Decision 2001/777/EC (OJ L 292, 9.11.2001, p. 41).

Wednesday 21 April 2004

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2002 discharge: 6th, 7th and 8th EDF**1.**

European parliament decision on the discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC))

The European Parliament,

- having regard to the balance sheets and accounts of the sixth, seventh and eighth European development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003),
 - having regard to the annual report of the Court of Auditors on the activities of the sixth, seventh and eighth European Development Funds for 2002 together with the institutions' replies (C5-0584/2003) ⁽¹⁾,
 - having regard to the Court of Auditors' Statement of Assurance on the European Development Funds (C5-0584/2003),
 - having regard to the Council's recommendations of 9 March 2004 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Funds for the financial year 2002 (C5-0146/2004, C5-0147/2004, C5-0148/2004).
 - having regard to Article 33 of the Internal Agreement of 20 December 1995 between the representatives of the governments of the Member States, meeting within the Council, on the financing and administration of the Community aid under the Second Financial Protocol to the fourth ACP-EC Convention ⁽²⁾,
 - having regard to Article 276 of the EC Treaty,
 - having regard to Article 74 of the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽³⁾,
 - having regard to Rules 93 and 93a, third indent of, and Annex V to, its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A5-0183/2004),
- A. whereas, in its Statement of Assurance on the European Development Funds, the Court of Auditors concludes that, with certain exceptions, the accounts for the financial year 2002 reliably reflect the revenue and expenditure for the financial year and the financial situation at the end of the year,
- B. whereas the Court of Auditors' conclusion on the legality and regularity of the underlying transactions is based inter alia on the audit of a sample of transactions,
- C. whereas the Court of Auditors, on the basis of the documentation examined, is of the opinion that the revenue entered in the accounts, the amounts allocated to the EDF's commitments and payments are, taken as a whole, legal and regular,
1. Gives discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the financial year 2002;
 2. Presents its comments in the accompanying resolution;
 3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors and the European Investment Bank and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 286, 28.11.2003, p. 325.

⁽²⁾ OJ L 156, 29.5.1998, p. 108.

⁽³⁾ OJ L 191, 7.7.1998, p. 53.

Wednesday 21 April 2004

2.

European parliament decision on closing the accounts of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003)475 – C5-0496/2003 – 2003/2189(DEC))

The European Parliament,

- having regard to the balance sheets and accounts of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003)475 – C5-0496/2003),
- having regard to the annual report of the Court of Auditors on the activities of the sixth, seventh and eighth European Development Funds for 2002 together with the institutions' replies (C5-0584/2003) ⁽¹⁾,
- having regard to the Court of Auditors' Statement of Assurance on the European Development Funds (C5-0584/2003),
- having regard to the Council's recommendations of 9 March 2004 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Funds for the financial year 2002 (C5-0146/2004, C5-0147/2004, C5-0148/2004),
- having regard to Article 33 of the Internal Agreement of 20 December 1995 between the representatives of the governments of the Member States, meeting within the Council, on the financing and administration of the Community aid under the Second Financial Protocol to the fourth ACP-EC Convention ⁽²⁾,
- having regard to Article 74 of the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽³⁾,
- having regard to Rules 93 and 93a, third indent of, and Annex V to, its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A5-0183/2004),

1. Notes that the financial situation of the sixth, seventh and eighth European Development Funds as at 31 December 2002 was as follows:

⁽¹⁾ OJ C 286, 28.11.2003, p. 325.

⁽²⁾ OJ L 156, 29.5.1998, p. 108.

⁽³⁾ OJ L 191, 7.7.1998, p. 53.

Wednesday 21 April 2004

Cumulative utilisation of EDF resources as at 31 December 2002

	Situation at end of 2001		Budgetary implementation during the financial year 2002				Situation at end of 2002				
	Global amount	Implementation rate (%)	6th EDF	7th EDF	8th EDF (%)	Global amount	6th EDF	7th EDF	8th EDF (%)	Global amount	Implementation rate (%)
	EUR million	%	EUR million								%
A – RESOURCES (%)	32 797,3					0,0	7 829,1	11 511,7	13 499,6	32 840,4	
B – UTILISATION											
1. Primary commitments	28 152,8	85,8	2,8	126,0	1 639,6	1 768,4	7 484,7	10 928,7	11 507,8	29 921,2	91,1
– programmable aid	15 648,6		1,2	151,0	660,2	812,5	4 875,5	5 754,4	5 831,1	16 461,1	
– non-programmable aid	9 324,5		– 1,1	– 15,6	574,4	557,7	2 511,2	3 667,4	3 703,6	9 882,2	
– structural adjustment and macroeconomic support	2 726,1		0,0	– 0,6	405,0	404,3	6,0	1 151,4	1 973,1	3 130,5	
– on transfers from previous EDFs	453,6		2,7	– 8,8	0,0	– 6,1	92,0	355,5	0,0	447,5	
2. Secondary commitments	22 681,3	69,2	33,5	328,1	1 781,3	2 142,9	7 318,9	9 985,4	7 519,9	24 824,2	75,6
– programmable aid	11 282,7		36,3	212,6	890,7	1 139,7	4 741,8	4 973,7	2 706,8	12 422,4	
– non-programmable aid	8 716,9		– 4,2	99,2	403,2	498,2	2 483,0	3 549,4	3 182,6	9 215,1	
– structural adjustment and macroeconomic support	2 298,7		– 0,7	– 1,0	487,3	485,7	5,3	1 148,6	1 630,5	2 784,4	
– transfers between EDFs	383,0		2,0	17,3	0,0	19,3	88,7	313,6	0,0	402,3	
3. Payments	19 683,6	60,0	48,5	326,1	1 478,1	1 852,7	7 235,1	9 232,4	5 068,9	21 536,4	65,6
– programmable aid	9 739,4		46,3	239,2	650,0	935,5	4 669,0	4 488,1	1 517,8	10 674,9	
– non-programmable aid	7 512,6		1,3	56,5	467,7	525,5	2 475,1	3 315,9	2 247,1	8 038,1	
– structural adjustment and macroeconomic support	2 088,5		– 0,1	8,5	360,4	368,8	5,3	1 148,0	1 304,0	2 457,4	
– transfers between EDFs	343,1		1,0	21,9	0,0	22,9	85,7	280,4	0,0	366,0	
C – OUTSTANDING PAYMENTS (B1-B3)	8 469,2	25,8					249,6	1 696,3	6 438,9	8 384,8	25,5
D – AVAILABLE BALANCE (A-B1)	4 644,5	14,2					344,4	583,0	1 991,8	2 919,2	8,9

Source: Court of Auditors, Annual Report concerning the financial year 2003 (OJ C 286, 28.11.2003, p. 331).

(1) As a percentage of resources.

(2) Including EUR 732,9 million in primary commitments, EUR 347,4 million in secondary commitments and EUR 97,7 million in payments for advance implementation of the Cotonou Agreement.

(3) Initial endowment of the 6th, 7th and 8th EDFs (of which EUR 60 million from the special EIB contribution), interest, sundry resources and transfers from previous EDFs.

2. Instructs its President to forward this decision to the Commission, the Council, the Court of Auditors and the European Investment Bank, and to have it published in the Official Journal of the European Union (L series).

Wednesday 21 April 2004

3.

European Parliament resolution containing the comments accompanying the decision concerning discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003 – 2003/2189(DEC))

The European Parliament,

- having regard to the balance sheets and accounts of the sixth, seventh and eighth European Development Funds for the 2002 financial year (COM(2003) 475 – C5-0496/2003),
 - having regard to the Commission communication to the Council, the European Parliament and the Court of Auditors of 7 August 2003 on financial information on the sixth, seventh and eighth European Development Funds 2002 (COM(2003) 491 – C5-0619/2003),
 - having regard to the annual report of the Court of Auditors of the activities of the sixth, seventh and eighth European Development funds for 2002 together with the institutions' replies (C5-0584/2003) ⁽¹⁾,
 - having regard to the Court of Auditors' Statement of Assurance on the European Development Funds (C5-0584/2003),
 - having regard to the Annual Report 2003 from the Commission to the Council and the European Parliament on the EC development policy and the implementation of external assistance in 2002 (COM(2003) 527),
 - having regard to its resolution of 1 March 2001 on the Commission communication to the Council and the European Parliament on the European Community's development policy ⁽²⁾,
 - having regard to the EuropeAid Cooperation Office's annual activity report 2002,
 - having regard to the Council's recommendations of 9 March 2004 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Funds for the financial year 2002 (C5-0146/2004 – C5-0147/2004 – C5-0148/2004),
 - having regard to Article 33 of the Internal Agreement of 20 December 1995 between the representatives of the governments of the Member States, meeting within the Council, on the financing and administration of the Community aid under the Second Financial Protocol to the fourth ACP-EC Convention ⁽³⁾,
 - having regard to Article 74 of the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽⁴⁾,
 - having regard to Rules 93 and 93a, third indent of, and Annex V to, its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A5-0183/2004),
- A. whereas, pursuant to Article 74 of the Financial Regulation of 16 June 1998 the Commission shall take all appropriate steps to act on the comments appearing in the decision giving discharge and to report, at the request of the European Parliament, on measures taken in light of these comments,
- B. whereas the present Commission took office in September 1999, launched the reform of the management of EC external assistance in May 2000 ⁽⁵⁾ and the reform of the EC's development policy in November 2000 ⁽⁶⁾,

⁽¹⁾ OJ C 286, 28.11.2003, p. 325.

⁽²⁾ OJ C 277, 1.10.2001, p. 130.

⁽³⁾ OJ L 156, 29.5.1998, p. 108.

⁽⁴⁾ OJ L 191, 7.7.1998, p. 53.

⁽⁵⁾ Cf. Communication to the Commission on the Reform of the Management of External Assistance, adopted by the Commission on 16 May 2000.

⁽⁶⁾ Cf. Statement by the Council and the Commission on The European Community's Development Policy adopted by the General Affairs Council (Development) on 10 November 2000.

Wednesday 21 April 2004

- C. whereas the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the Cotonou Agreement) ⁽¹⁾, which entered into force on 1 April 2003, has reformed aid to the ACP States and increased focus on poverty reduction,
- D. whereas, due to the long ratification process for the Cotonou Agreement, the ninth European Development Fund (EDF) covering the period 2000-2005 had not entered into force at the end of 2002, making it necessary for the Commission during 2002 to use funds from the eighth EDF in order to initiate financing decisions based on programming for the ninth EDF,
- E. whereas the ACP-EU Joint Parliamentary Assembly, at its meeting in Rome from 11 to 15 October 2003, adopted a resolution ⁽²⁾ on the use of the EDF, calling on the Commission to speed up implementation of funds,

Statement of Assurance

1. Notes that the Court of Auditors is of the opinion that the revenue entered in the accounts, the amounts allocated to the European Development Funds (EDFs), the commitments and the payments of the financial year are, taken as a whole, legal and regular;
2. Notes that the Court of Auditors has formed its opinion based on an analysis and testing of the supervisory systems and controls of the Commission as well as on controls carried out on a number of underlying transactions in Brussels and on the spot in six ACP States;
3. Supports the Court of Auditors' approach of giving analysis of supervisory systems and controls high priority;
4. Supports the Court of Auditors' intentions to perform on-the-spot controls in ACP States; invites the Court of Auditors to ensure that all delegations of the Commission are visited and controlled within a limited number of years;
5. Notes that the Court of Auditors made the following critical remarks:
 - (a) the Commission has not sufficiently addressed weaknesses relating to the terms of reference, reporting and follow-up of audit reports carried out on EDF operations;
 - (b) key controls are not always reliably carried out by the National Authorising Officer and/or the Head of Delegation;
 - (c) monitoring information and performance indicators on the evolution of the quality of public finance management in ACP States do not exist, preventing the Court of Auditors from giving an opinion on the use of direct budgetary aid;
 - (d) the Director-General of the EuropeAid Cooperation Office (AIDCO) did not have sufficient information available when he declared without reservation in the AIDCO annual activity report for 2002 that control procedures put in place provided the necessary guarantees in respect of the legality and regularity of the underlying transactions;

Declaration of the Director-General of AIDCO

6. Notes with satisfaction that the annual activity report and declaration of the Director-General of AIDCO for 2002 also covered the EDF, even though the charter for authorising officers by delegation did not at that time extend to EDF transactions; however, also notes that the Court of Auditors considers that – from the viewpoint of methodology – the Director-General of AIDCO did not yet have all the requisite information concerning the reality, legality and regularity of the on-the-spot transactions as regards the following information:
- (a) the management of funds by ACP countries had not yet been subjected to risk analysis and formalised evaluation, particularly in the context of the use of budgetary aid. AIDCO was not yet able to determine the extent to which Internal Control Standard No 17 on supervision had actually been implemented as regards the transactions that were managed by the Delegations and National Authorising Officers;

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ C 26, 29.1.2004, p. 17.

Wednesday 21 April 2004

- (b) the coverage and findings of external audits were neither quantified nor analysed. These external audits were still not included within the scope of Internal Control Standard No 21 on audit reports;
- (c) the amounts to be recovered were not entered in the accounts and were not always identified. There was therefore no guarantee that advances were correctly cleared;

Calls on the Director-General of AIDCO to address the above-mentioned weaknesses pointed out by the Court of Auditors;

7. Notes that the Commissioner for Development and Humanitarian Aid does not believe it to be part of his responsibilities to ensure that the Director-General of AIDCO includes a reliable declaration in the AIDCO annual activity report;

8. Does not find that the opinion of the Commissioner for Development and Humanitarian Aid on this issue is in accordance with the Code of Conduct for Commissioners and Departments, which states that 'Directors-General shall be answerable to their Commissioner for the sound implementation of the policy guidelines laid down by the Commission and the Commissioner.';

9. Questions the value of such a declaration when it does not have any consequence for a Director-General if serious criticism is raised against the approach taken in working out the declaration;

Budgetary support

10. Notes that budgetary support has increased its share of implemented primary commitments from 14 per cent in 2001 to 23 per cent in 2002; notes that the Commission intends to increase this share further in future years;

11. Acknowledges that budgetary support may be effective in achieving the objectives of poverty reduction and better management of public finances in beneficiary countries, inter alia by increasing ownership of the beneficiary country;

12. Notes that according to the Cotonou Agreement, direct budgetary assistance in support of macro-economic or sectoral reforms shall be granted where⁽¹⁾:

- (a) public expenditure management is sufficiently transparent, accountable and effective;
- (b) well-defined macroeconomic or sectoral policies established by the country itself and agreed to by its main donors are in place; and
- (c) public procurement is open and transparent;

13. Acknowledges that when budget support funds have been released to an ACP State, these funds are spent and controlled according to national and not EDF control procedures; is aware that this necessitates a change in the Commission's follow-up procedures away from traditional controls and checks of transactions towards an assessment of the state of public finance management based on monitoring information and performance indicators; however, notes that the Court of Auditors finds that criteria used to release budget support funds essentially consist of macroeconomic indicators but provide only partial information about public finance management, and that no separate, clear analysis and evaluation of the quality of public finance management is produced;

14. Is deeply concerned that the Commission is increasing the use of budget support at the same time as the Court of Auditors — in the absence of monitoring information and of performance indicators on the evolution of the quality of public finance management in ACP States — is not able to give an opinion on the use of direct budgetary assistance by the ACP States;

15. Has been informed that other donors are also increasing the use of budgetary support and that the Commission is cooperating with such donors, notably the World Bank, on the development of performance indicators;

⁽¹⁾ Cf. Cotonou Agreement, Article 61(2).

Wednesday 21 April 2004

16. Invites the Commission to continue to cooperate with other donors in order to ensure a harmonised approach among donors towards ACP States — not just on performance indicators but also on requirements placed on ACP States as regards e.g. controls and reporting;
17. Strongly supports the Court of Auditors' intentions to adopt a special report during 2004 on the use of budgetary support;
18. Asks the Commission to include a list of countries granted budgetary support, including information on whether tranches of budgetary support have been withheld, in a communication on financial information on the EDFs for the 2003 financial year; asks the Commission also to outline in this communication — for each country receiving direct budgetary aid — whether the three main conditions for receiving such aid as stated in Article 61(2) of the Cotonou agreement are met;
19. Asks the Commission to report, by 1 September 2004, on the state of play of work within the Public Expenditure and Financial Accountability Programme, including information on the expected deadline for agreement on a final list of public finance management performance indicators;
20. Calls on the Commission — in connection with the upcoming negotiations on possible amendments of the Cotonou Agreement — to enter into a dialogue with the ACP States on the possibility of making budgetary support conditional on the beneficiary country agreeing to spend the equivalent of 5-10 per cent of any amount received as budgetary support for institutional support measures;

Supreme Audit Institutions

21. Recalls its opinion regarding the importance of involving ACP States' supreme audit institutions in EDF control⁽¹⁾;
22. Notes that the Court of Auditors regrets the absence of a clear, structured approach to strengthening the national control and audit institutions on the part of the Commission;
23. Asks the Commission to include information on funds spent on projects involving supreme audit institutions in a communication on financial information on the EDFs for the 2003 financial year;
24. Invites the Commission to consider entering the condition that an ACP State must agree to introduce a multiannual programme for creating and/or strengthening a Supreme Audit Institution before budgetary support can be granted;

Decentralisation of management of aid and support

25. Supports the Commission's devolution of resources and decision-making powers to the delegations of the Commission; expects this to contribute to even higher implementation levels for commitments and payments than those achieved by the Commission in 2002; is aware that the deconcentration exercise is ongoing and expected to be fully implemented during 2004;
26. Emphasises that the audit and evaluation strategy of the Commission must reflect the change in the management of aid and support and be underpinned by a risk assessment; stresses that audits and evaluations must be independent and of high quality; asks the Commission to communicate its working document on risk assessment as soon as it has been finalised and by 1 July 2004 at the latest;
27. Stresses that Heads of Delegation must ensure that key controls are carried out and take action if the National Authorising Officer does not fulfil the obligation of performing such controls; is concerned that delegations may not have sufficient qualified staff available in order to respect new obligations regarding financial control;

⁽¹⁾ Cf. points 21-24 of the Resolution containing the comments accompanying the decision concerning discharge to the Commission in respect of the implementation of the budget of the sixth, seventh and eighth European Development Funds for the financial year 2001 (OJ L 148, 16.6.2003, p. 3).

Wednesday 21 April 2004

28. Is concerned that Headquarters' overview of audit and evaluation activities in the delegations is inadequate; notes that EDF activities are expected to be integrated into the CRIS system during first half of 2004; notes the Court of Auditors' concern that in the short term the CRIS-system is not likely to address weaknesses relating to the terms of reference, audit reports and follow-up of audit reports; asks the Commission to report by 1 September 2004 on whether: 1) the process of linking the OLAS accounting system to the CRIS system has been successful and 2) whether audits concerning EDF funds have been included in the CRIS system;

29. Regrets that the Commission does not systematically collect audits and evaluations from delegations and therefore has not been able to react in a timely manner to a request from the rapporteur to receive a number of audit and evaluation reports; regards this as confirmation of Headquarters' lack of an overview of audit and evaluation activities; notes that lists of audits received by the rapporteur in some cases contained wrong information about the prices of an audit, the size of the underlying project etc.; regards this as a further confirmation of Headquarters' lack of an overview of audit activities;

30. Asks the Commission to provide a structured plan by 1 July 2004 as to how Headquarters should control delegations' controls within a deconcentrated management system; stresses that financial audits and evaluation should be coordinated, monitored and followed up by Headquarters; is especially worried by the apparent lack of systematic follow-up of audits and evaluations;

31. Asks the Commission to present by 1 July 2004 a list of audits and evaluations performed in 2003 by delegations and Headquarters as well as providing information on how audits and evaluations have been followed up; stresses that the requested list shall only include audits and evaluations actually performed, not merely planned;

32. Notes that the Commission is not certain that it has full information about evaluations carried out by delegations⁽¹⁾; asks the Commission to include information on how this situation has been resolved when it forwards the list of evaluations performed in 2003;

Implementation, RAL and budgetisation

33. Considers that the level of unspent EDF resources, currently standing at EUR 11,3 billion⁽²⁾, is regrettable in a fund aimed at assisting many of the poorest countries in the world; appreciates the factors that limit the Commission's ability to redress this problem, such as the responsibility of the National Authorising Officer for processing invoices, the need to obtain the National Authorising Officer's agreement for decommitments, the circumstances preventing the implementation of programmes in certain countries in crisis and the absence of any time-limit on the use of funds; recognises the value of changes to the Financial Regulation and new Financing Agreements aimed at keeping RAL under control for the ninth EDF; stresses the fact that many of these problems would be resolved if the EDF were to be brought within the Community budget;

34. Notes that resources not yet committed under the sixth, seventh and eighth EDFs in total amounted to EUR 2,9 billion (or 8,9 per cent of total resources) at the end of 2002, even though it was respectively 17, 12 and 5 years since the three EDFs entered into force;

35. Notes that implemented secondary commitments (contracts) and payments amounted to respectively EUR 2,1 billion and EUR 1,9 billion, thereby maintaining a relatively high level compared to earlier years; however, is also aware that increased use of budgetary support is the main reason for achieving higher implementation levels;

36. Notes that outstanding commitments — or RAL (*reste à liquider*) — amounted to EUR 8,4 billion at the end of 2002, of which EUR 1,2 billion was considered to be abnormal RAL⁽³⁾,

⁽¹⁾ Cf. Commission's answer to question 75 in Replies to Questionnaire to the Commission regarding discharge 2002 — Part II (PE 328.732/FIN2): 'It is not possible to say with any degree of certainty to what extent the attached list, which is based on information provided by EC Delegations in ACP countries, is complete.'

⁽²⁾ EUR 2,9 billion is yet to be committed, while EUR 8,4 billion relates to outstanding payments.

⁽³⁾ Abnormal RAL is defined as commitments on which no contracts or payments have been made in the last two years as well as commitments made before 1997 and not yet paid (cf. above-mentioned Communication from the Commission on Financial Information on the 6th, 7th and 8th European Development Funds 2002, section 3.1).

Wednesday 21 April 2004

37. Asks the Commission to include in a communication on financial information on the EDFs for the 2003 financial year a table showing the RAL per sector and per year of commitment as well as information on the level of abnormal RAL and specific actions taken in 2003 in order to reduce the abnormal RAL;

38. Welcomes the Communication from the Commission to the Council and the European Parliament of 8 October 2003 entitled 'Towards the full integration of cooperation with ACP countries in the EU budget' (COM(2003) 590);

39. Considers that the EDF shall be budgetised, i.e. integrated into the general budget of the European Union, in order to grant the EDF the same status as other parts of the *acquis communautaire* and eliminate the current democratic deficit;

40. Emphasises that — apart from the political significance of budgetisation — considerable advantages related to budgetary management can be achieved by integrating the EDF into the general budget of the European Union, e.g. more efficient implementation due to the possibility of harmonising existing procedures, greater level of flexibility in implementation, a higher level of transparency concerning total Community aid, and avoiding the current complications of transitional measures between EDFs;

41. Notes that a new Financial Protocol succeeding the ninth EDF has to be determined at the same time as negotiations start on respectively a new Financial Perspective for the European Union and possible amendments of the Cotonou Agreement, offering an exceptionally good opportunity to budgetise the EDF;

42. Calls on the Commission and the Member States to decide on and implement budgetisation of the EDF without delay;

43. Considers it essential that the Commission continue to speed up implementation of commitments and payments from the EDF in order for the European Community and its Member States to fulfil the political commitments to the ACP States, as well as minimising possible complications related to budgetisation of the EDF;

44. Invites the Commission to enter into a dialogue with the ACP States on how to eliminate the RAL, taking into account the specific problems that may be encountered in connection with budgetisation;

45. Stresses that budgetisation of the EDF must not lead to a decrease in total funds available to the ACP States; asks the Commission to ensure transparency so that the discharge authority continues to be able to ascertain the level of funds spent for purposes set out in the Cotonou Agreement;

Poverty reduction

46. Draws attention to the principal objective of the Community's development policy, which is to reduce poverty with a view to its eventual eradication⁽¹⁾, and highlights the endorsement given by the Commission and all Member States to the Millennium Development Goals (MDGs) as the means by which this objective is to be achieved; furthermore recognises that there has to be careful monitoring of whether appropriate resources are going to health and education at country level;

47. Notes that the benchmark formula requires the 35 per cent to be allocated 'mainly (to) education and health' which are the two most prominent sectors in the MDGs; observes that the figures reported to the Development Assistance Committee for 2002 commitments in these sectors⁽²⁾ remain far from this target, and that structural adjustment programme conditionalities are most unlikely to make up such a large shortfall; expresses concern about the figures given for EDF commitments⁽³⁾ in these sectors; calls on the Commission to improve its performance in this area in future years;

⁽¹⁾ The European Union's Development Policy, conclusions of the 2304th meeting of the Development Council 10 November 2000.

⁽²⁾ 4,1 % for education and 3,0 % for health. These figures include sector-specific budget support.

⁽³⁾ 1 % for education and 4 % for health.

Wednesday 21 April 2004

48. Regrets that the Commission has not provided an analysis of its contribution towards achieving the MDGs but has limited its study⁽¹⁾ to measuring the progress made by developing countries towards this objective; considers that assessment of the effectiveness of Commission programmes is hampered by the absence of such an analysis; calls for an analysis of aid effectiveness to be included in the mid-term review of the Cotonou Agreement;

Programming

49. Congratulates the Commission on the results of its assessment of the involvement of non-state actors in the programming process for the ninth EDF, which showed that consultations were carried out in 62 countries out of 68; notes, however, that changes to draft Country Strategy Papers only resulted in 36 countries, raising questions about the impact of consultations in the remaining cases; calls particularly for regular and formal consultation of ACP parliaments and the ACP-EU Joint Parliamentary Assembly;

CESD contracts

50. Notes that several EDF financed contracts have been signed with one of the companies at the centre of the Eurostat scandal in the context of the Common Market of Eastern and Southern Africa; notes that serious questions regarding these contracts were raised in the final Internal Audit Service report of October 2003;

51. Regrets that Eurostat's consistent advice in favour of using CESD did not raise concern within AIDCO despite what was known internally about the company; notes this as another example of inadequate transparency and lack of communication between Commission departments;

52. Finds it deeply dissatisfying that AIDCO did not issue a recovery order on EUR 200 000, outstanding since 1999, before the Eurostat scandal broke in July 2003; expects the Commission to inform the European Parliament as soon as possible as to whether the recovery order on EUR 324 088 (accrued interest) issued to CESD has been fulfilled;

53. Welcomes the fact, however, that AIDCO has ended contractual relations with the company in question;

ACP Secretariat

54. Recalls that the Court of Auditors in its annual report for the 2000 financial year, had serious criticism for the ACP Secretariat, as well as for the EUR 18 million financing agreement for 2000-2004 benefiting the ACP Secretariat and signed by the Commission on 9 March 2000;

55. Recalls the European Parliament resolution relating to discharge for the 2000 financial year⁽²⁾, in which the Commission was asked to inform the ACP Secretariat that it must, in all cases, respect the final rulings of the Belgian Courts on matters still pending;

56. Is aware that the ACP Secretariat has not yet complied with a ruling from the Belgian Courts and paid compensation to a former employee, arguing that the ACP Secretariat seeks diplomatic immunity; notes that the ACP Secretariat has appealed to the Belgian *Cour de Cassation*; does not agree that diplomatic immunity should make it possible for the ACP Secretariat not to honour its responsibilities as an employer;

57. Notes that the present agreement on the financing of the ACP Secretariat will expire at the end of 2004; calls on the Commission to include in any agreement on future financing a mechanism ensuring suspension of the financing agreement if the ACP Secretariat does not respect a final ruling of the Belgian courts;

58. Asks the Commission to inform the discharge authority by 1 July 2004 at the latest about the result of contact made with the ACP Secretariat as requested above, as well as the expected content of a proposal for a future financing agreement benefiting the ACP Secretariat;

⁽¹⁾ Outlined in the Annual Report on the EC Development Policy and the Implementation of External Assistance in 2002, Chapter 3.

⁽²⁾ OJ L 158, 17.6.2002, p. 28.

Wednesday 21 April 2004

59. Invites the Court of Auditors to follow up on observations on the ACP Secretariat made by the Court of Auditors in its annual report concerning the financial year 2000; invites the Court of Auditors, at the same time, to consider whether the ACP-EU Joint Parliamentary Assemblies are organised in accordance with the principles of sound financial management;

Peace Facility

60. Takes note of the Decision of the ACP-EC Council of Ministers on 11 December 2003 on the use of EUR 250 million from the long-term development envelope of the ninth EDF for the creation of a Peace Facility for Africa;

61. Welcomes the creation of a Peace Facility for Africa, but is concerned about the risk of such funds being used on purposes other than those for which they were intended, e.g. on military spending; invites the Commission to enter into a dialogue with the Parliament on the use of the Peace Facility for Africa within the overall development policy framework;

62. Asks the Commission to specify in the annual accounts the amounts used for the Peace Facility for Africa and to inform the discharge authority — on an annual basis and in good time, and to be taken into account during the discharge procedure — about the management of such funds, including information about the specific activities financed by the funds;

CDE

63. Notes that EUR 90 million in the Financial Protocol of the Cotonou Agreement are reserved for the CDE (Centre for the Development of Enterprise, formerly Centre for the Development of Industry); notes that the legal status of CDE is unclear and its objectives not well defined; deplores that there are still management shortcomings and weaknesses in internal and external control despite repeated criticism in different audits over the last years; calls on the Commission to follow up on the criticism raised by the Commission's own audits as well as in the Court of Auditors' annual report for 2002.

P5_TA(2004)0339

2002 discharge: Section II of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year — Section II — Council (15-0034/2003 — C5-0088/2004 — 2003/2212(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (15-0034/2003 — C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 276, 272(10) and 275 of the EC Treaty,

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

Wednesday 21 April 2004

- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽¹⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽²⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Grants the Secretary-General of the Council discharge in respect of the implementation of the budget for the 2002 financial year (operational expenditure);

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ L 356, 31.12.1977, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

2.

European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section II – Council (I5-0034/2003 – C5-0088/2004 – 2003/2212(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 276, 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Underlines the need for a more comprehensive exchange of information between the Council and the European Parliament; welcomes therefore the Council's readiness to hold an informal dialogue between the two Institutions prior to the discharge procedure;

2. Points out that the Committee on Budgetary Control asked the Council to forward the following documents to it: a list of contracts concluded with third parties, the complete documentation for the contract with the largest financial impact, the provisions governing the use of official cars, and the Financial Controller's reports;

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

3. Notes, and finds unacceptable, the reply given by the chairman of the Committee of Permanent Representatives on 11 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003: 'The questions raised in your questionnaire under the heading General Questions to all Institutions are not directly related to the accounts of the Council over the year 2002 or to the annual report of the Court of Auditors concerning that year. The Council's position is that these questions go beyond the scope of the discharge procedure';
4. Notes further that the Court of Auditors' annual report for 2002 contains general comments on administrative expenditure by the Community institutions, but no specific comments whatever on the Council's budget; welcomes the announcement by the Court of Auditors that its next annual report will contain comments on administrative expenditure for each Community institution;
5. Stresses that its request for information to the Council is fully in line with the provisions of the Financial Regulation (in particular Articles 146 and 182);
6. Calls on the Council to respond to the questionnaire submitted by the Committee on Budgetary Control no later than 1 July 2004;
7. Notes that as from next year the Council, pursuant to Article 86(4) of the Financial Regulation, will forward to the European Parliament a report summarising the number and type of internal audits carried out, the recommendations made and the action taken on those recommendations;
8. Asks for information on the measures taken by the Council in 2002 to improve the analysis of its financial management;
9. Points out that in 2001 there were differences between the physical and accounting inventories; asks whether that shortcoming has been rectified;
10. Would like the Court of Auditors to pay appropriate attention to verifying financial management and the inventory within the Council's 2003 budget;
11. Underscores the importance Parliament attaches, in the light of experience, to mobility for authorising officers;
12. Welcomes the joint declaration by the Council, the Commission and Parliament of 25 November 2002 ⁽¹⁾ on the prior notification of Parliament in the decision-taking process on the Common Foreign and Security Policy (CFSP), and asks how this has been reflected in practical cooperation;
13. Again draws attention to the recommendation by the Court of Auditors in its Special Report No 13/2001 on the management of the Common Foreign and Security Policy ⁽²⁾ on the basis of its audit findings that Parliament, the Council and the Commission should lay down clear operational principles and rules at interinstitutional level with regard to the role of the Commission and of the Council in CFSP implementation and that the financing of CFSP actions should be made more transparent.

⁽¹⁾ Texts Adopted, 19.12.2002, P5_TA(2002)0624, Annex 1.

⁽²⁾ OJ C 338, 30.11.2001, p. 1.

Wednesday 21 April 2004

P5_TA(2004)0340

2002 discharge: Section IV of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section IV – Court of Justice (I5-0034/2003 – C5-0088/2004 – 2003/2213(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Grants the Registrar of the Court of Justice discharge in respect of the implementation of the budget for the 2002 financial year;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

2.

European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section IV – Court of Justice (I5-0034/2003 – C5-0088/2004 – 2003/2213(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

Wednesday 21 April 2004

- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽¹⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽²⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Notes the replies given by the Court of Justice on 17 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003;

2. Notes that as from next year the Court of Justice, pursuant to Article 86(4) of the Financial Regulation, will forward to the European Parliament a report summarising the number and type of internal audits carried out, the recommendations made and the action taken on those recommendations;

3. Regards as appropriate the Court of Justice's measures based on the European Court of Auditors' Special Report No 5/2000 ⁽³⁾; notes the audit report by the company KPMG ⁽⁴⁾; also notes the report dated 21 October 2003 on new building projects, maintenance and infrastructures generally, which the Court of Justice has forwarded to the European Parliament;

4. Notes the letter of 18 February 2004 from the Registrar to the chairman of the Committee on Budgetary Control, in which the Registrar announces a series of measures both to counter the increase which has emerged over the last few years in the average length of proceedings and to take account of enlargement; calls on the Registrar to submit a detailed progress report to the European Parliament in time for the discharge procedure for the 2003 budget;

Non-official use of official cars

5. Notes that the Court of Justice, in addition to the official journeys authorised by it or by its President, defrays the cost of the use of official cars by its Members up to a ceiling of 30 000 km a year (Members of the Court of First Instance: 25 000 km; President of the Court of First Instance: 30 000 km);

6. Notes that the Members of the Court thus enjoy benefits in kind although no corresponding decision has been taken by the EU Council of Ministers, which is responsible for their emoluments;

7. Calls for the Court of Justice to amend its rules by 1 July 2004 to require its Members themselves to bear in full the cost of non-official use of official cars;

Increases in remuneration as a result of weightings

8. Notes that on the basis of an internal administrative ruling the Members of the Court of Justice have the possibility of benefiting from increases in remuneration by having it transferred in part to other EU Member States, and taking advantage of 'weightings' in the process, rather than receiving a transfer to accounts in their country of employment, Luxembourg;

9. Points out that that decision is an internal administrative ruling by the Court of Justice and can under no circumstances be regarded as a ruling in its judicial capacity;

⁽¹⁾ OJ L 356, 31.12.1977, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ C 109, 14.4.2000, p. 1.

⁽⁴⁾ Letter of 6 June 2003 to the chairman of the Committee on Budgetary Control.

Wednesday 21 April 2004

10. Points out furthermore that that decision by the Court of Justice's Administrative Committee was taken on 25 September 2002, but that, on a proposal by the Council, Parliament and the Council subsequently deleted a remark from the Court of Justice's 2003 preliminary draft budget (Item A-1090) which provided for weightings to be applied 'by analogy' with the provisions of the Staff Regulations of Officials to the Members of the Court of Justice too;

11. Notes that, in doing so, the budgetary authority made it perfectly clear that it expected an end to be put to the practice, which, since 1 January 2003, has not been authorised either by provisions in the relevant regulations on the remuneration of Members of the Institutions or by corresponding remarks in the budget;

12. Points out that the Members of the Commission no longer claim weightings and calls on the Members of the Court of Justice to follow that example;

13. Asks in this connection what progress the Court has made in establishing a specific legal basis for the application of weightings, as insisted on by Parliament⁽¹⁾;

14. Is pleased that the Court of Justice adheres to the same 'whistleblower's doctrine' as the Commission; notes that such a doctrine is only truly effective if staff members are aware of it; encourages the Court of Justice to ensure that this information is freely available to its staff;

15. Invites its Committee on Budgets to place part of the 2005 administrative appropriations for the Court of Justice in reserve if there is no satisfactory response to the concerns raised in this resolution over non-official car use and the system of salary weightings.

⁽¹⁾ Resolution of 8 April 2003, paragraph 6 (OJ L 148, 16.6.2003, p. 46).

P5_TA(2004)0341

2002 discharge: Section V of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section V – Court of Auditors (I5-0034/2003 – C5-0088/2004 – 2003/2214(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003)⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272 (10) und 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002⁽³⁾,

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

- having regard to Article 143 of the Financial Regulation of 25 June 2002, and in particular paragraph 4 of that article,
 - having regard to Article 276 of the EC Treaty,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A5-0228/2004),
1. Grants the Court of Auditors discharge in respect of the implementation of the budget for the 2002 financial year;
 2. Records its comments in the accompanying resolution;
 3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

2.

European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section V – Court of Auditors (I5-0034/2003 – C5-0088/2004 – 2003/2214(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
 - having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003)⁽¹⁾,
 - having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
 - having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
 - having regard to Articles 272 (10) and Article 275 of the EC Treaty,
 - having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002⁽³⁾,
 - having regard to Article 143 of the Financial Regulation of 25 June 2002, and in particular paragraph 4 of that article,
 - having regard to Article 276 of the EC Treaty,
 - having regard to Rule 93a of and Annex V to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A5-0228/2004),
1. Notes the replies given by the President of the Court of Auditors on 19 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003;
 2. Notes further the additional information forwarded by the President of the Court in his letters of 16 and 20 February 2004;

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

3. Notes the report by the independent auditor on the accounts of the Court of Auditors for the 2002 financial year together with the auditor's certificate concerning the regularity and fairness of the financial statements at 31 December 2002 ⁽¹⁾;
4. Stresses that cooperation between Parliament and the Court of Auditors on the presentation of the annual report and special reports has further improved;
5. Points out that a number of financial and management-related problems had initially arisen with regard to completion of the K2 extension which must be avoided in connection with the next extension;
6. Notes that the Court of Auditors, in the course of enlargement from 15 to 25 Members, will be transferring a larger proportion of its work to its audit groups;
7. Expressly recommends that the Members of the Court of Auditors ensure that the make-up of their private offices is multinational and, in particular, that at least one of the two attaché posts at their disposal is filled by an individual whose nationality is different from their own;

Statement of assurance

8. Notes with approval that, when taking office, the Members of the Court of Auditors lodge declarations of their financial interests which are considerably more comprehensive and more detailed than the equivalent declarations by Members of the Commission or MEPs and which furthermore, where appropriate, also include details concerning spouses; regards it as proper that those declarations should not be published; expects the competent authorities to be given access to those declarations, however, if investigations need to be conducted into a Member of the Court;
9. Notes that, when verifying administrative expenditure, the Court of Auditors will in future evaluate internal control systems, internal auditors' reports and a representative number of transactions;
10. Realises that the Court of Auditors' statement of assurance is essentially based on sample checks and is therefore not a tool for the targeted detection of fraud and irregularities, but, rather, is intended to allow an overall appraisal to be made of the financial management of the Institutions audited; points out that such an overall appraisal is reliable only if a sufficiently large sample of payments is audited;
11. Encourages the Court in its review of annual DAS evaluation and to work in close collaboration with the other institutions to provide some form of performance indicators that can measure progress from year to year;
12. Expects the Court of Auditors to ensure, in preparing its annual report and annual statement of assurance, that it bases its assessment on the latest international accounting practices and principles;
13. Is taken aback that, in its annual report for 2002, the Court of Auditors supplied details of the scale of the sample of the transactions it had audited within agriculture, but, even when asked to do so, was unwilling to provide information as to the number of transactions audited by it in connection with the Institutions' administrative expenditure;
14. Asks the Court of Auditors in future to give the number of transactions audited by it, broken down by Institution;
15. Asks the Court of Auditors to bring the structure of its annual report, in future, into line with Article 143(3) and (4) of the Financial Regulation, which read as follows: 'The annual report shall contain an assessment of the soundness of financial management. The annual report shall contain a section for each institution. The Court of Auditors may add any summary report or general observations which it sees fit to make';

⁽¹⁾ OJ C 259, 28.10.2003, p. 1.

Wednesday 21 April 2004

16. Reminds the Court that Parliament requires information on every Community Institution because, otherwise, it cannot perform its discharge duties; regrets the fact that the Court's annual report does not comply with this and contains no specific information whatever on the administrative expenditure of the Council, the Court of Justice, the Court of Auditors or the Economic and Social Committee; regards this as unwarranted, one reason being that – year in, year out – the Court submits a separate report for every single decentralised Community agency;

17. Welcomes the announcement by the Court of Auditors that in its annual reports, in future, it will make provision for a separate section for each Community Institution;

Lessons to be learned from the Eurostat case and combating fraud

18. Notes that the Court of Auditors has repeatedly found fault in the past with individual Eurostat operations;

19. Points out that to date, however, Eurostat as a whole has never been the subject of an in-depth and comprehensive audit by the Court; is concerned that that is also true of other Commission directorates-general and might be one cause of undesirable developments within the Commission;

20. Is concerned that, in the past, not only were the audit reports by the decentralised audit units in Commission directorates-general ignored by the Members of the Commission, but, rather, the Court of Auditors did not insist that such reports be systematically forwarded; asks the Court of Auditors to carry out a comprehensive evaluation of those reports in future and to publish a summary of the key results in its annual report;

21. Asks the Court of Auditors to take advantage of its expansion from 15 to 25 Members to ensure that, in future, its Members carry out an in-depth audit of each and every Commission directorate-general;

22. Would very much welcome being notified by the Court, at the latest when its next annual report is presented, which Members have taken on special audit responsibility for which directorate-general; regards such specific terms of reference as totally compatible with the collective nature of the Court, provided that the Court has the final say;

23. Asks the Court of Auditors to review its internal decisions on cooperation with OLAF in the light of the provisions of the new Staff Regulations, in particular as regards the right of staff to approach OLAF with information directly; calls on the Court of Auditors to forward to Parliament a copy of the currently applicable provisions and the changes which have been made;

24. Asks the Court of Auditors to comment as to whether, in connection with the awarding procedure at the Committee of Regions described in paragraph 9.23 of its annual report, referral to the competent judicial authorities is necessary, since this might constitute restraint on freedom to participate in tendering procedures, which is a criminal offence under Belgian law (Article 314 of the Belgian Criminal Code);

Dismissal of a Court of Auditors official

25. Points out that, in April 2002, an official of the Court of Auditors publicly made the most serious allegations against Members and officials of his Institution;

26. Points out that some of the allegations made by the official had previously been brought to OLAF's notice by another party or had been the subject of administrative inquiries;

27. Notes that, according to OLAF, the other allegations made by the official could not be substantiated; notes further that Parliament has been given access to no evidence which might substantiate doubts as to OLAF's declaration;

Wednesday 21 April 2004

28. Notes that, following disciplinary proceedings, the official was dismissed in summer 2003;
29. Regards that decision as a harsh penalty; points out that, pursuant to Articles 90 and 91 of the Staff Regulations, a complaint may be lodged against it and an appeal may be brought before the Court of Justice of the European Communities;
30. Calls in this connection for the Community's staff regulations to be amended so as to make it possible for 'whistle blowers' to turn to a body outside their Institution so as to ensure that their anonymity remains intact ⁽¹⁾;
31. Points out to the Court of Auditors that its action against the official must also be gauged against the measures it is taking against a former Member who is alleged to have seriously breached the obligations arising from his office;
32. Is pleased that the Court of Auditors adheres to the same 'whistleblower's doctrine' as the Commission; notes that such a doctrine is only truly effective if staff members are aware of it; encourages the Court of Auditors to ensure that this information is freely available to its staff;

Proceedings against a former Member of the Court

33. Points out that, on the initiative of a member of the Committee on Budgetary Control, OLAF instituted an inquiry into the former member of the Court of Auditors in 2002;
34. Points out further that, following on from that inquiry, OLAF referred the matter to the Luxembourg judicial authorities and that those proceedings have not yet been concluded; acknowledges that the Court is pressing ahead with recovering misappropriated monies;
35. Points out to the Court of Auditors that, in tandem with the Luxembourg court proceedings, an application could be made to the European Court of Justice, as the Commission has done in the case of a former Commissioner; expects the Court of Auditors to refer the matter to the European Court of Justice, too, in order to have it established, pursuant to Article 247 of the EC Treaty, whether the former Member seriously breached the obligations arising from his office;

Private use of official cars

36. Asks the Court to confirm that official cars the cost of which is borne by the Community budget can be used exclusively for official journeys;
37. Notes that, supposedly, the Members of the Court of Auditors can use official cars for private purposes up to a limit of 40 000 km a year and that even holiday travel at taxpayers' expense is evidently not ruled out;
38. Calls on the Court, if necessary, to amend its rules by 1 July 2004 so as to require its Members to meet in full the cost of the private use of official cars (non-official business);
39. Draws the attention of the Court to the fact that, pursuant to Article 276(3) of the EC Treaty, it is required to take all appropriate steps to comply with that demand;

Increases in remuneration as a result of weightings

40. Notes that, since 1 January 2003, the Members of the Court have again given themselves the possibility of benefiting from considerable increases in remuneration by having it transferred in part to other EU Member States, and taking advantage of 'weightings' in the process, rather than receiving a transfer to accounts in their country of employment, Luxembourg; states that this is defended by citing a corresponding decision by the Administrative Committee of the European Court of Justice;

⁽¹⁾ Texts Adopted, 29.1.2004, P5_TA(2004)0049.

Wednesday 21 April 2004

41. Points out that that decision is an internal administrative ruling by the Court of Justice and can under no circumstances be regarded as a ruling in its judicial capacity;

42. Points out furthermore that that decision by the Court of Justice's Administrative Committee was taken on 25 September 2002, but that, on a proposal by the Council, Parliament and the Council subsequently deleted a remark from the Court of Justice's 2003 preliminary draft budget (Item A-1090) which provided for weightings to be applied, 'by analogy' with the provisions of the Staff Regulations of Officials, to the Members of the Court of Justice too;

43. Notes that, in doing so, the budgetary authority made it perfectly clear that it expected an end to be put to the practice, which, since 1 January 2003, has not been authorised either by provisions in the relevant regulations on the remuneration of Members of the Institutions or by corresponding remarks in the budget;

44. Points out that the Members of the Commission no longer claim weightings; calls on the Members of the Court of Auditors to follow that example;

45. Invites its Committee on Budgets to place part of the 2005 administrative appropriations for the Court of Auditors in reserve if there is no satisfactory response to the concerns raised in this resolution over non-official car use and the system of salary weightings;

P5_TA(2004)0342

2002 discharge: Section VI of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section VI – European Economic and Social Committee (I5-0034/2003 – C5-0088/2004 – 2003/2215(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

1. Grants the Secretary-General of the European Economic and Social Committee discharge in respect of the implementation of the budget for the 2002 financial year;
2. Records its comments in the accompanying resolution;
3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

2.

European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section VI – European Economic and Social Committee (I5-0034/2003 – C5-0088/2004 – 2003/2215(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Notes the replies given by the European Economic and Social Committee (EESC) on 17 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003;
2. Thanks the EESC for forwarding its internal rules governing budget implementation and the charter of the internal auditor;
3. Notes the EESC's assurance that there have been no further irregularities whatever with regard to the settlement of travel expenses;
4. Notes that, on 10 December 2003, the EESC adopted a statute for its Members; asks the Court of Auditors for an opinion on the financial implications of the provisions thereof; asks the Court of Auditors to submit that opinion no later than in the context of its annual report for 2003;
5. Welcomes the fact that the EESC has given an account of the extent to which the objectives it set itself for the period 1998-2002 were met ⁽⁴⁾; is convinced that a critical evaluation of activities can be the basis for better public awareness of the EESC's work;

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

⁽⁴⁾ The EESC Secretariat's activities in the 1998-2002 period. Report presented to the Bureau on 17.9.2002.

Wednesday 21 April 2004

6. Thanks the EESC for the progress report of 26 June 2003⁽¹⁾ on renovating the Belliard Building, according to which it will be handed over on 31 May 2004; asks, however, for an explanation of the Financial Controller's comment on 2002 budget implementation that 'Shortcomings in the management of the "Belliard" dossier, meaning that the Committees had a lack of oversight of certain aspects, were noted and pointed out'⁽²⁾;

7. Welcomes the fact that the two committees have managed to make early payments to the owner of the Belliard Building, Cofinimmo, so as to reduce liabilities more quickly;

8. Asks the EESC whether it updated the inventory in 2002 and whether, as Parliament insisted⁽³⁾, the Court of Auditors has verified the inventory.

⁽¹⁾ Note to the Committee on Budgetary Control, Belliard building progress report, 26.6.2003.

⁽²⁾ Reply to questionnaire, question 4, general section.

⁽³⁾ Resolution of 8 April 2003, paragraph 8 (OJ L 148, 16.6.2003, p. 55).

P5_TA(2004)0343

2002 discharge: Section VII of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section VII – Committee of the Regions (I5-0034/2003 – C5-0088/2004 – 2003/2216(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the annual report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003)⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Grants the Secretary-General of the Committee of the Regions discharge in respect of the implementation of the budget for the 2002 financial year;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

Wednesday 21 April 2004

2.

European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section VII – Committee of the Regions (I5-0034/2003 – C5-0088/2004 – 2003/2216(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Notes the replies given by the President of the Committee of the Regions on 16 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003;

2. Notes that in its report concerning the financial year 2002 the Court of Auditors established the same irregularities as the Anti-Fraud Office (paragraph 9.23);

3. Points out that Parliament did not grant the Committee of the Regions discharge in respect of financial management in 2001 until 29 January 2004 ⁽⁴⁾ and, in the resolution accompanying the discharge decision, called on the Committee of the Regions 'to provide a full report on the current discharge decision in good time for it to be taken into account in the context of the discharge procedure for the 2002 financial year' (paragraph 21);

4. Welcomes the setting up of working groups, with the involvement of staff of the institution and an external advisor, to examine and propose solutions to the various structural, administrative and financial problems; remains however to be convinced that they will lead to significant improvements as long as the administrative culture remains the same; points out that, following the example of the Commission in the Eurostat affair, a root and branch overhaul of senior management, working methods and respect for internal audit is essential to create a climate of reform and renewal;

5. Awaits confirmation that the Committee has strengthened its internal audit unit with the A7 and B5 posts agreed by Parliament and seeks a justification for any further delay in recruitment procedures;

6. Expresses its general surprise at the dismissal of the OLAF findings and recommendations and suggests that real reform can only begin by acknowledging past mistakes and weaknesses;

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

⁽⁴⁾ OJ L 57, 25.2.2004, p. 8.

Wednesday 21 April 2004

7. Notes that the European Parliament in its resolution on the Committee of the Regions⁽¹⁾ was very critical of the Institution; deplores the treatment of the Financial Controller, as stated in the OLAF report;
8. Notes that, on 17 February 2004, the President of the Committee of the Regions forwarded a work plan on administrative reform to the committee chairman and rapporteur which must be implemented over the next few months; points out at this early juncture that implementation of the measures will be verified during the budget discharge procedure for 2003; points out that improvements must be introduced in such a way that the progress achieved can be gauged;
9. Thanks the European Economic and Social Committee (EESC) and the Committee of the Regions for the progress report of 26 June 2003⁽²⁾ on renovating the Belliard Building, according to which it will be handed over on 31 May 2004;
10. Criticises the Committee of the Regions for failing to replace the staff of the Financial Controller or to give him the necessary information to carry out an audit report in 2002;
11. Notes with satisfaction that the Committee of the Regions will take over the standard decision on the conditions and arrangements for internal investigations to combat fraud, corruption and other unlawful actions harmful to the Communities' interests;
12. Asks the Committee of the Regions to take the necessary steps to ensure the total independence of the Internal Auditor;
13. Welcomes in this connection the Bureau's decision of 10 February 2004 to bring its 'whistleblowing' provisions into line with rules currently in force in the Commission which make it possible for officials to turn to a body outside their Institution, so as to ensure that their anonymity remains intact;
14. Notes that such a doctrine is only truly effective if staff members are aware of it; encourages the Committee of Regions to ensure that this information is freely available to its staff;
15. Points out that on 18 November 2003 the President of the Committee of the Regions called on the acting Secretary-General to clarify whether disciplinary proceedings ought to be instituted against staff; criticises the fact that, on the one hand, the administrative inquiry is not to be concluded until April, but that, on the other, the Administration has already been able to establish that the Internal Auditor has not been intimidated or harassed at all;
16. Recalls Parliament's above-mentioned resolution of 29 January 2004 and paragraph 22 thereof in particular, which stresses that the President of the Committee of the Regions must ensure that the office and person of the Internal Auditor are respected and that his advice and counsel are taken seriously;
17. Notes that the Committee of the Regions introduced a new staff policy in 2003; will return to this in its discharge report for the 2003 financial year;
18. Notes that the Committee of the Regions spent some EUR 100 000 on studies in 2002; asks how the topics were selected and to what use the studies were put; asks whether an assessment was made of their usefulness.

⁽¹⁾ Texts Adopted, 29.1.2004, P5_TA(2004)0048.

⁽²⁾ Note to the Committee on Budgetary Control, Belliard Building progress report, 26.6.2003.

Wednesday 21 April 2004

P5_TA(2004)0344

2002 discharge: Section VIII of the general budget

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section VIII – Ombudsman (I5-0034/2003 – C5-0088/2004 – 2003/2217(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,
- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽²⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽³⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Grants the Ombudsman discharge in respect of the implementation of the budget for the 2002 financial year;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

2.

European Parliament resolution containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year – Section VIII – Ombudsman (I5-0034/2003 – C5-0088/2004 – 2003/2217(DEC))

The European Parliament,

- having regard to the revenue and expenditure account and balance sheet for the 2002 financial year (I5-0034/2003 – C5-0088/2004),
- having regard to the Annual Report of the European Court of Auditors for the 2002 financial year, together with the replies of the institutions (C5-0583/2003) ⁽¹⁾,

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

Wednesday 21 April 2004

- having regard to the statement of assurance by the European Court of Auditors, pursuant to Article 248 of the EC Treaty, as to the reliability of the accounts and the legality and regularity of the underlying transactions (C5-0583/2003),
- having regard to the Council's recommendation of 9 March 2004 (C5-0145/2004),
- having regard to Articles 272(10) and 275 of the EC Treaty,
- having regard to Article 22(2) and (3) of the Financial Regulation of 21 December 1977 ⁽¹⁾ and Article 50 of the Financial Regulation of 25 June 2002 ⁽²⁾,
- having regard to Rule 93a of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgetary Control (A5-0228/2004),

1. Notes the replies given by the Ombudsman on 15 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003;

2. Considers it reasonable that the Ombudsman has concluded an agreement with Parliament on cooperation on administrative, budgetary and financial matters;

3. Acknowledges that the Ombudsman is looking for a low-cost way of regularly travelling to Frankfurt am Main and Zurich airports; asks the Ombudsman to notify Parliament as to what solution he prefers; asks Parliament, at the same time, to consider to what extent it can be of assistance to him;

4. Welcomes the Financial Controller's confirmation that the Ombudsman's financial management for 2001 and 2002 was satisfactory;

5. Also welcomes the fact that the Internal Auditor will carry out a critical review of the new financial management structures and procedures for the financial year 2003;

6. Welcomes the fact that the Ombudsman has undertaken to forward to the discharge authority the annual activity report drawn up by the principal authorising officer.

⁽¹⁾ OJ L 356, 31.12.1977, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

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2002 discharge: Section I

1.

European Parliament decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Section I – European Parliament)
(I5-0034/2003 – C5-0088/2004 – 2003/2211(DEC))

The European Parliament,

- having regard to the Revenue and Expenditure Account and Balance Sheet in respect of the financial year 2002 (I5-0034/2003 – C5-0088/2004),
- having regard to the annual report of the Court of Auditors concerning the financial year 2002 and the institutions' replies (C5-0583/2003) ⁽¹⁾,

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

Wednesday 21 April 2004

- having regard to the Statement of Assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty (C5-0583/2003),
 - having regard to Article 275 of the EC Treaty, Article 78d of the ECSC Treaty and Article 179a of the Euratom Treaty,
 - having regard to Article 77 of the Financial Regulation of 21 December 1977⁽¹⁾ and Articles 145 to 147 of the Financial Regulation of 25 June 2002⁽²⁾ and Article 13 of the internal rules for the implementation of the European Parliament's budget⁽³⁾,
 - having regard to Article 89(7) of the Financial Regulation of 21 December 1977, pursuant to which each Community institution is required to take all appropriate steps to act on the comments appearing in the decisions giving discharge,
 - having regard to Rules 93a and 184(3) of its Rules of Procedure, and Annex V thereto, in their versions applying before 1 January 2003 and as from that date,
 - having regard to the report of the Committee on Budgetary Control (A5-0218/2004),
1. Grants its Secretary-General discharge in respect of the implementation of the budget for the 2002 financial year;
 2. Records its comments in the accompanying resolution;
 3. Authorises the giving of discharge to the Accounting Officer for the 2002 financial year in accordance with the transitional provisions⁽⁴⁾ governing the discharge procedure in respect of the period prior to the entry into force of the new Financial Regulation;
 4. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors and the Ombudsman and to have them published in the Official Journal of the European Union (L-series).

⁽¹⁾ OJ L 356, 31.12.1977, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ PE 265.492/BUR/FIN.

⁽⁴⁾ Article 267 of the Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357, 31.12.2002, p. 1).

2.

European Parliament resolution accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year (Section I – European Parliament) (I5-0034/2003 – C5-0088/2004 – 2003/2211(DEC))

The European Parliament,

- having regard to the Revenue and Expenditure Account and Balance Sheet in respect of the financial year 2002 (I5-0034/2003 – C5-0088/2004),
- having regard to the annual report of the Court of Auditors concerning the financial year 2002 and the institutions' replies (C5-0583/2003)⁽¹⁾,
- having regard to the Statement of Assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty (C5-0583/2003),

⁽¹⁾ OJ C 286, 28.11.2003, p. 1.

Wednesday 21 April 2004

- having regard to Article 275 of the EC Treaty, Article 78d of the ECSC Treaty and Article 179a of the Euratom Treaty,
 - having regard to Article 77 of the Financial Regulation of 21 December 1977 ⁽¹⁾ and Articles 145 to 147 of the Financial Regulation of 25 June 2002 ⁽²⁾ and Article 13 of the internal rules for the implementation of the European Parliament's budget ⁽³⁾,
 - having regard to Article 89(7) of the Financial Regulation of 21 December 1977, pursuant to which each Community institution is required to take all appropriate steps to act on the comments appearing in the decisions giving discharge,
 - having regard to Rules 93a and 184(3) of its Rules of Procedure, and Annex V thereto, in their versions applying before 1 January 2003 and as from that date,
 - having regard to the report of the Committee on Budgetary Control (A5-0218/2004),
- A. whereas the Financial Regulation adopted on 25 June 2002 and the Rules of Procedure of Parliament amended on 23 October 2002 apply with effect from 1 January 2003 as regards procedural rules governing the discharge procedure,
- B. whereas the substantive provisions of the Financial Regulation of 21 December 1977 and the Rules of Procedure of Parliament applying in 2002 continue to govern the responsibilities of financial actors in 2002,
- C. whereas Parliament's Rules of Procedure were amended on 23 October 2002 to stipulate that discharge shall be given to the President rather than to the Secretary-General,
- D. whereas, however, that amendment cannot be applied retrospectively as it concerns a substantive rule governing responsibility; for the 2002 financial year discharge must therefore continue to be given to the Secretary-General,

1. Takes note of the figures with which the European Parliament's accounts for the 2002 financial year were closed, namely:

(euros)

Use of appropriations	Appropriations for the 2002 financial year	Appropriations carried over from 2001 financial year	
		Article 7(1)(b) Financial Regulation	Article 7(1)(a) Financial Regulation ⁽¹⁾
Appropriations available	⁽²⁾ 992 310 000	1 36 621 422	—
Commitments entered into	977 212 022	—	—
Payments made	876 911 049	126 254 342	—
Appropriations carried over to 2003			
— Article 9 (1 & 4) of Financial Regulation	100 300 973		
— Article 9 (2a & 5) of Financial Regulation	3 302 900	—	—
Cancelled appropriations	11 795 078	10 367 080	—
Balance Sheet at 31 December 2002: 1 403 669 148			

⁽¹⁾ Financial Regulation of 21 December 1977.

⁽²⁾ Including supplementary and amending budget No 1/2002 and 6/2002.

⁽¹⁾ OJ L 356, 31.12.1977, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ PE 265.492/BUR/FIN.

Wednesday 21 April 2004

Implementation of the budget

2. Congratulates the Secretary-General on the efficient use of the budgetary appropriations made available by Parliament; thanks all Parliament staff for the effective support provided to Members during the 1999-2004 term;
3. Notes that the principal changes to the appropriations in the 2002 budget as originally adopted concerned:
 - the European Convention, whose financing necessitated a supplementary and amending budget (No 1), the addition of a budgetary line to Section I of the budget (Parliament) (Article 372) and the transfer of EUR 1 million from Chapter 101;
 - preparations for enlargement, including 'frontloading' operations whereby as a result of a supplementary and amending budget, the Commission was able to utilise appropriations available in 2002 in respect of expenditure initially planned for 2003 and a similar amount was added to Parliament's budget for 2003;
4. Notes that in 2002 the European Parliament received revenue of EUR 67 256 006 (2001: EUR 68 415 805);
5. Takes cognizance of the note forwarded by the Court of Auditors on 17 November 2003 in accordance with Article 39(3) of the Financial Regulation evaluating the four withholdings of approval during 2002;
6. Points to the overall opinion expressed in the section of the Court of Auditors' annual report for 2002 on administrative expenditure (paragraph 9.14), concerning the results of testing carried out at the European Parliament on a sample of transactions in the financial year 2002, to the effect that, apart from specific findings set out in the annual report, no material errors were noted in the sample of transactions tested;
7. Persists in the view that the error-identification service hitherto provided by Financial Control must now be at least matched by the detection and correction capacity of the authorising officers' own services;

Presentation and content of the accounts

8. Applauds the improved readability of the analysis of budgetary management accompanying the accounts, as called for in previous annual reports by the Court of Auditors;
9. Repeats its request to the Secretary-General — contained in paragraph 16 of the 2001 discharge resolution of 8 April 2003 ⁽¹⁾ — for a report on the feasibility of publishing Parliament's accounts together with the analysis of budgetary management on Parliament's website;
10. Takes note of the Secretary-General's reply to question 37 of the 2002 discharge questionnaire (PE 338.137) that 'formal management and control procedures within Parliament up to the end of 2002 (Advisory Committee on Procurement and Contracts (ACPC), Financial Control, Legal Service) and the importance attached to sound financial management both by Parliament's Administration and by its control authorities, make it unlikely that situations similar to that found at Eurostat could have occurred within Parliament';

Governance

11. Recalls the statement contained in paragraph 3 of the above-mentioned 2001 discharge resolution that 'the scope of the discharge procedure should cover not only the management activities of Parliament's Secretary-General and Administration, but also the decisions taken by its governing bodies, i.e. its President, Bureau and Conference of Presidents';
12. Notes that in accordance with Rule 93a, first indent, of the Rules of Procedure, discharge will in future be given to the President of the European Parliament rather than to the Secretary-General;

⁽¹⁾ OJ L 148, 16.6.2003, p. 62.

Wednesday 21 April 2004

13. Believes that in the context of current debates on corporate and institutional governance there is a convincing case for strengthening the degree of accountability prevailing not only at the level of authorising officers in respect of the commitment and disbursement of budget appropriations, but also at the level of the political authorities in cases where they take decisions having significant financial consequences;

14. Points out that, under the Financial Regulation, an authorising officer is liable to disciplinary action and payment of compensation for his acts or omissions in his official capacity (Article 65(2)); notes further that an authorising officer by delegation must in future report to the Institution by way of an annual activity report (Article 60(7));

15. Notes that according to the list of their responsibilities ⁽¹⁾ certain Members of the Bureau now oversee specific sectors of the Administration's activities and may participate in that capacity in negotiations with third parties and give undertakings on behalf of the Institution (in accordance with a mandate determined by the Bureau) in such a way as to create legal and/or financial commitments in matters potentially having significant budgetary consequences;

16. Notes that there is at present no definition of the precise practical meaning of the political responsibility attaching to Parliament's governing bodies as regards the exercise of powers and the taking of decisions with significant financial consequences; instructs its competent committee and Bureau to consider this matter and draw up specific proposals;

17. Takes the view that in the interest of greater transparency and accountability such proposals might include:

- an annual financial review by the President on behalf of the Bureau (similar to the report of a company's board of directors to its shareholders) setting out and commenting on the principal financial events and trends, as well as positive and negative developments during the financial year under review;
- an examination of the changes which would be necessary in order to anchor political responsibility for financial matters more firmly within Parliament's internal rules on the budget or its Rules of Procedure, including possibly the requirement for Vice-Presidents with responsibility for management functions to submit an annual declaration;

Follow-up to 2001 discharge

18. Recalls that in paragraph 11 of its discharge resolution of 10 April 2002 ⁽²⁾ concerning the 2000 financial year Parliament requested its Secretary-General to provide the Committee on Budgetary Control with the sector letter from the Court of Auditors and the Administration's replies;

19. Notes that this request was fully complied with in the discharge procedure concerning the 2001 financial year;

20. Considers that the absence of any corresponding provisions in the internal rules ⁽³⁾ on the implementation of the budget adopted by the Bureau on 4 December 2002 cannot be advanced as a justification for the Administration's failure in the context of the current discharge process to comply with a request contained in an earlier higher-ranking text (Parliament's resolution of 10 April 2002);

21. Takes the view that there can be no reasonable objection to the disclosure of sector letters to the competent committee, or its rapporteur, on a confidential basis once the Court of Auditors' annual report has been published;

22. Calls upon the Secretary-General to give clear instructions for the forwarding of the sector letters, in accordance with confidentiality procedures, to the competent committee in the context of the discharge procedure for the 2003 financial year;

⁽¹⁾ PE 315.557/BUR/DEF — see EP website: governing bodies/Bureau/composition.

⁽²⁾ OJ L 158, 17.6.2002, p. 43.

⁽³⁾ PE 324.692/BUR/FIN, see DG8 website.

Wednesday 21 April 2004

Implementation of the recast Financial Regulation

23. Recognises the achievement of the Administration in having successfully completed the steps necessary to put the recast Financial Regulation into practical effect in the short time between the date of its adoption (25 June 2002) and the date of its entry into force (1 January 2003); points out, however, that there should be an in-depth analysis of the effects brought about by applying the detailed rules for implementing the new Financial Regulation so that there is no recurrence of the operational failures which took place in 2003, the Info-Points Europe being one example of such lack of foresight;

24. (a) Notes that according to Article 13(8) of the Internal Rules⁽¹⁾ implementing the recast Financial Regulation, adopted by the Bureau on 4 December 2002, the activities of the Internal Auditor do not extend to the conditions under which use is made of the appropriations against Item 3701, 'Secretarial expenses, current administrative expenditure and expenditure relating to the political and information activities of the political groups and non-attached Members';

(b) Notes further that the revised text of the Rules governing the utilisation of appropriations entered against Item 3701 adopted by the Bureau on 30 June 2003 departs in several respects from the provisions of the Financial Regulation; considers that any derogations from the general rules contained in the Financial Regulation must be based on sound legal and practical considerations;

(c) Welcomes the report of the Secretaries-General of the political groups of 4 February 2004 in which they propose a number of changes to the rules governing the utilisation of appropriations entered against Item 3701; believes that these changes represent an important step in the right direction;

(d) Calls on the Bureau to bring Parliament's Internal Rules and the Rules governing the utilisation of appropriations entered against item 3701 more closely into line with the provisions of the Financial Regulation and the Implementing Rules on the basis of the proposals made by the Secretaries-General;

(e) Asks the Secretaries-General of the political groups to present a further report, by 1 July 2004, setting out how the remaining divergences between the Financial Regulation and the Parliament's internal rules can be addressed, including, if necessary, a recommendation on how the Financial Regulation and/or the Implementing Rules could be amended to take account of the specific status of political groups;

(f) Stresses in particular the necessity, in accordance with the indications of the Court of Justice, to apply the relevant provisions governing item 3701 to non-attached Members in a strictly analogous manner in order to avoid any discrimination in the use of these funds;

25. Notes that the Internal Auditor's work programme for 2003 included an audit of the Parliament's internal control framework, whose main objective is to re-assess the level of general compliance with the Institution's minimum standards of internal control; notes that its competent committee will be informed of the results of the audit when the Internal Auditor's annual report is issued;

26. Notes that the Internal Audit Service is conducting an audit of the procurement process, under the new Financial Regulation, the findings of which are expected during the first half of 2004; insists that the Secretary-General inform its competent committee of those findings and of the follow-up action which he decides on in relation thereto as soon as the procedures laid down in the Internal Rules have been completed;

27. Welcomes the Secretary-General's undertaking⁽²⁾ in future to supply the Committee on Budgetary Control on request with copies of the annual activity reports drawn up by the authorising officers by delegation pursuant to Article 60(7) Financial Regulation;

Staff and administration

28. Asks the Bureau to ensure that all appointments at A1 and A2 level take place in a fully open, transparent and competitive manner with staff committee representatives with observer status being present on selection committees;

⁽¹⁾ PE 324.692/BUR/FIN, see DG8 website.

⁽²⁾ Source: Secretary-General's reply to paragraph 5 of EP resolution of 8.4.2003.

Wednesday 21 April 2004

29. Recalls that in paragraph 28 of the resolution on the 2001 discharge it asked for proposals to be made before 1 July 2003 to remedy the situation of former LA officials who had passed an internal competition and moved to an A-category post before the introduction of 'décloisonnement' and were thereby placed at the starting grade (A7) in the A-category irrespective of their seniority in the LA category; notes that, in his reply of 18 February 2004, the Secretary General recognised that these LA officials had been 'prejudiced in comparison with other LA officials who benefited from "décloisonnement"'; therefore asks the Secretary-General, in observance of the principle of non-discrimination among officials, to put forward specific proposals aimed at compensating the "small number" of LA officials whose initiative and energy have paradoxically placed them in a very unfavourable position;

30. Welcomes the model adopted by a number of divisions in the Translation Directorate, by which divisions are split into specialised teams reflecting the terms of reference of parliamentary committees; notes that this system has led to an increase in productivity; calls on the Parliament's Administration to examine whether this system could be extended to all divisions in the translation service;

31. Recalls that security measures were tightened up following the terrorist attacks of 11 September 2001; calls on the Secretary-General, in light of recent events and the current international security climate, to review and update all security arrangements, anticipating potential threats and making contingency plans, seeking expert advice and ensuring that properly trained security personnel are employed on Parliament's premises;

Political group accounts

32. Points out that the political groups only partially answered the questionnaire submitted by its Committee on Budgetary Control in the context of the 2002 discharge process;

33. Welcomes the fact that the annual accounts of the political groups are now published on Parliament's website; regrets, however, that no action has been taken in response to the request contained in paragraph 80(d) of Parliament's resolution of 8 April 2003 calling for the groups' internal financial rules for the use of the budget line 3701 appropriations also to be published on Parliament's website;

34. Considers it necessary, in order to avoid potential conflicts of interest, to ensure that the same audit firm does not provide related services;

35. Calls on the Secretary-General to examine a proposal for the rotation of group audit firms (or at least of the person within the audit firm responsible for the group's audit) every five years;

36. Recalls paragraph 85 of its resolution of 8 April 2003 instructing its competent committee to continue to dedicate a section of its annual discharge report to the accounts of the political groups and non-attached Members giving particular attention to any specific remarks made by the Court of Auditors in the context of the discharge for the 2002 financial year;

37. Points out that the 2002 annual report by the Court of Auditors contains a section examining the follow-up to its special report No 13/2000⁽¹⁾ on the expenditure of the European Parliament's political groups;

38. Notes that in 2002 the appropriations entered on budget line 3701 were allocated pursuant to the Bureau's decision of 4 February 2002 as follows:

Total available:	EUR 34 988 000
Non-attached Members (33):	EUR 1 154 604
Amount available for groups:	EUR 33 833 396

⁽¹⁾ OJ C 181, 28.6.2000, p. 1.

Wednesday 21 April 2004

Group	Number of Members	Total allocated 01/01/2002	Carried over from 2001 ⁽¹⁾	Expenditure in 2002 ⁽¹⁾	Utilisation rate %	Carried forward to 2003 ⁽¹⁾
PPE	232	12 922 519	7 234 352	15 870 767	122,82	4 775 841
PSE	179	10 067 849	7 592 863	13 575 568	134,84	4 573 736
ELDR	53	3 042 382	1 292 952	3 334 600	110,44	1 079 435
VERTS	45	2 656 812	2 313 851	4 105 303	155,20	952 607
GUE/NGL	44	2 684 778	1 923 255	3 650 792	135,37	1 081 653
UEN	22	1 328 517	1 034 056	2 009 402	151,25	383 067
EDD	18	1 130 539	717 208	1 456 489	128,83	465 517
TOTAL	593	33 833 396	22 108 537	44 002 921	130,06	13 311 856

⁽¹⁾ Including groups' own resources, adjustments and recoveries during the year (source: DG 8).

39. Recalls that Article 2.1.6 of the rules ⁽¹⁾ governing budget line 3701 allows the groups and the non attached Members to carry forward a maximum of 50 % of the annual appropriations received from the European Parliament's budget; notes that no political group exceeded the limit of 50 % on appropriations to be carried forward from 2002 to 2003 ⁽²⁾;

40. Notes the following remark by the Court of Auditors with regard to the political groups' accounts of 2002 (annual report, paragraph 9.29 et seq.):

- both cash-based and accrual accounting are used (or sometimes a mixture of both), depending on the political group involved, which makes comparison difficult;
- the financial statements do not provide the detailed information on decentralised expenditure required by the accounting plan;
- considerable progress has been made in including information on fixed assets in both the accounting records of the groups and Parliament's own inventory system;
- as regards the external audit of the groups' accounts, the content of the audit statements varied for the seven sets of accounts certified (by five different firms);

41. Shares the view that the informative value of the groups' annual reports on the utilisation of the appropriations continues to be limited, because the rules do not require, in addition to the financial statements, the provision of information on the objectives, the type and the cost of the main activities financed;

42. Instructs its Secretary-General to report on the feasibility of establishing a standard format laying down the matters to be covered in both

- (i) the analysis of budgetary management accompanying the groups' accounts and
- (ii) the opinions drawn up by the external auditors;

43. Instructs its competent bodies in any future review of the rules governing budget line 3701 to remedy the absence of global reporting on the use of the appropriations;

44. Agrees that unless and until the political groups acquire a separate legal personality, the amounts of appropriations carried forward by political groups should be shown on the assets side of the balance sheet of the European Parliament;

45. Notes that expenditure by national delegations represents half of the total expenditure and that compliance with specific provisions requires on-the-spot verification in addition to audits in the central premises of the political groups; suggests that the audit provisions of the relevant rules should be amended accordingly;

⁽¹⁾ Bureau minutes 1.2.2001.

⁽²⁾ European Parliament, DG8.

Wednesday 21 April 2004

46. Notes that under Article 1.6.2 of the rules⁽¹⁾ governing budget line 3701 the political groups may at present give up to 5 % of their annual subsidy to political parties; recalls that according to Article 6 of Regulation (EC) No 2004/2003⁽²⁾ on political party funding a European political party may not accept donations from the budgets of political groups in the European Parliament; instructs its competent bodies to take note of this provision when next revising the relevant rules;

Non-attached Members

47. Notes that not all non-attached Members have submitted the necessary documentation to the Administration concerning the financial year 2002;

48. Points out that under Article 2.9.6 of the rules currently in force as regards non-attached Members⁽³⁾, the Administration is required to draw up a statement of revenue and expenditure and a balance sheet for each Member demonstrating the regularity of the accounts and their consistency with the rules;

49. Recalls that, until these new rules were adopted, responsibility for submitting the reports and accounts required by the rules governing budget line 3701 lay with each individual non-attached Member;

50. Regrets that the Administration has been unable to forward the reports and accounts for 2002 to the competent committee because not all non-attached Members have yet provided a satisfactory account of their use of the relevant appropriations in 2002;

51. Notes that unlike the political groups the accounts of the non-attached Members are not subjected to an external audit;

52. Considers that the use by the non-attached Members of budget line 3701 appropriations falls within the purview of Parliament's internal auditor and that Article 13(8) of Parliament's internal rules on the implementation of the budget should be interpreted accordingly;

Members' allowances

53. Regrets the failure of the Council to approve the Statute for Members which had the support of Parliament and would have been a fair system for all members;

54. Believes that the introduction of a Statute for Members accompanied by reform of the system of expenses, as supported by the Parliament, would have been the best way of ensuring the fair and equal treatment of all Members; considers, however, that the Council's failure to approve the Statute does not relieve the Parliament of its responsibility for ensuring that EU funds are spent in an honest and transparent manner;

55. Recalls paragraph 104 of the above-mentioned 2001 European Parliament discharge resolution and the recommendations made by the Court of Auditors that there should be no difference between the travel expenses paid by the Parliament and actual costs incurred by a Member, an issue which is being addressed by the Parliament's Bureau as the only body competent to make the appropriate adjustments;

56. Requests the Bureau and Quaestors to review the whole system of Members' allowances and the manner in which they are applied and controlled with a view to ensuring fair and adequate resources for legitimate parliamentary work based on a transparent and accountable system and an efficient and non-bureaucratic disbursement procedure;

57. Calls on the Bureau, in the absence of an agreement on a common Statute for Members, to adopt, as a matter of urgency, new rules governing the payment of expenses and allowances using as a basis the decision of the Bureau of 28 May 2003; considers these new rules should enter into force at the beginning of the next parliamentary term and should provide for, inter alia, the reimbursement of travel expenses on the basis of actual costs incurred;

⁽¹⁾ Bureau minutes 1.2.2001, 30.6.2003.

⁽²⁾ OJ L 297, 15.11.2003, p. 1.

⁽³⁾ Bureau minutes 30.6.2003.

Wednesday 21 April 2004

Secretarial allowance

58. Notes that, according to the European Parliamentary Assistants Association, the Court of Auditors, the Parliament's own Financial Controller and Mr Onesta, the Vice-President responsible for the Statute for Assistants, the new rules on the payment of the secretarial allowance which entered into effect on 1 January 2001 still pose a number of problems, both in terms of ensuring compliance with the Financial Regulation and with relevant national legislation (taxation, social security and so on), and also in terms of user-friendliness; welcomes, therefore, the changes to the rules governing the payment of the secretarial allowance adopted by the Bureau on 9 February 2004; calls on the Secretary-General to ensure that the new rules are strictly enforced; considers, however, that the new requirement that, in the case of service contracts, invoices or fee statements should be accompanied by statements certifying that the staff concerned are duly affiliated to a social security scheme and that tax and social security contributions are duly paid should not be limited to contracts with a duration exceeding six months;

59. Believes that, as soon as practically feasible, all payments to parliamentary assistants should be made by Parliament's Administration, either directly or through a national paying agent; points out that under such a system the Member would continue to be responsible for decisions such as recruitment, dismissal, leave and level of remuneration, but that Parliament's Administration would be responsible for ensuring that all payments comply with the Financial Regulation and with applicable national legislation; notes that according to Parliament's Administration⁽¹⁾, the cost of such a system should not exceed EUR 120 per Member per month;

60. Further considers that, in order to ensure maximum transparency in the use of the secretarial allowance, all assistants paid from the secretarial allowance must be accredited with the Parliament and that, if necessary in order to achieve this, the new category of 'constituency-based accreditation' should be created; notes that as a consequence, the names of all assistants would have to be included in the public register of assistants;

61. Calls on the Secretary-General to inform the Court of Auditors, within two weeks of adoption of this resolution by the European Parliament in plenary sitting, of those accredited assistants who were not paid either from the secretarial allowance or from any other source given in the declaration of financial interests in 2002; instructs the Court of Auditors, in the cases forwarded by the Secretary-General, to ascertain which funds these assistants were paid from and whether there was any infringement of Parliament's prevailing Rules of Procedure or of national rules;

62. Asks the Secretary-General to ensure that the restrictions imposed by current EU Member States on the free movement of workers from the new Member States will not prevent Members from the new Member States from employing assistants from their home country, or impair the ability of those assistants to move freely within the territory of the European Union;

Subsistence allowance

63. Considers that the attendance registers available for signature by Members must be supervised by a Parliament official at all times; notes that steps have been taken to ensure that this is now the case;

64. Takes the view that the subsistence allowance is a flat-rate sum intended to cover all personal costs incurred by a Member whilst attending Parliament, including taxis; considers therefore that the separate taxi allowance (requiring receipts) introduced in September 2003 and extended in January 2004 is superfluous and should be abolished;

⁽¹⁾ Question 5, 2002 discharge questionnaire (PE 338 137).

Wednesday 21 April 2004

Health insurance

65. Points out that Members are entitled to free health insurance cover under Parliament's rules, even when national health care schemes are available to them; considers that Parliament's health insurance cover for Members should be additional to any national scheme, whether public or private, and based on market conditions; further considers that Members who choose to take part in the Parliament's scheme should be required to pay a health insurance premium; believes that a change in the rules to this effect should be introduced with effect from the beginning of the next parliamentary term;

System of advance payments

66. Considers that the existing system of advance payments, whereby Members' expenses claims are reimbursed by Parliament's Administration before the documentary evidence supporting the claim has been verified, should be replaced by a system of individual accounts into which all amounts due to and from each Member would be consolidated, and on the basis of which a single payment to Members would be made once a month;

67. Considers further that until such a system is introduced, and in order to meet the concerns of the Court of Auditors, Members' contributions to the voluntary additional pension scheme should be deducted from payments of the daily subsistence allowance rather than from the general expenditure allowance;

Parliament's places of work

68. Calls on Parliament's Administration to continue and intensify the dialogue with local residents in the Quartier Léopold area, adjacent to the Parliament's Brussels buildings, in view of the ongoing construction work on the new D4 and D5 buildings; considers that Parliament's Administration must ensure that living conditions do not fall below an acceptable minimum as a result of the construction work, and that every effort must be made to accommodate the wishes of local residents with respect to the future configuration of, and access to, the area immediately surrounding the Parliament's buildings;

Environment

69. Asks for the comprehensive review of Parliament's internal environmental policy conducted by the consultancy specialising in environmental management and expected ⁽¹⁾ to be available at the end of 2003 to be forwarded to its Committee on Budgetary Control;

70. Points out that according to the World Health Organisation exposure to tobacco causes death, disease and disability;

71. Notes the decision of the European Ombudsman of 23 January 2004 on complaint 260/2003 against the European Parliament, which includes a finding of maladministration and concludes that 'the European Parliament has failed to take adequate measures to promote compliance with its internal rules on smoking in European Parliament premises';

72. Believes that the continued failure by the European Parliament to enforce non-smoking measures poses a serious health threat to all users of Parliament's buildings and could lead to significant claims for damages;

73. Takes note of the decision taken by the Commission to ban smoking throughout its buildings (including bars and restaurants) as from 1 May 2004; calls on Parliament's Administration and on the College of Quaestors to institute a ban on smoking throughout the public spaces in Parliament's buildings in the three working places with effect from 1 May 2004; takes the view that special rooms should be designated for people wishing to smoke;

⁽¹⁾ Secretary-General's reply to paragraph 112 of EP resolution of 8.4.2003.

Wednesday 21 April 2004

74. Notes that many official documents are still being distributed to Members on paper despite their availability online; points out that in many cases, these documents are discarded without ever being used, which results in a huge waste of money and paper; calls on the College of Quaestors to instruct the Administration to cease the automatic and general distribution of the following types of document to the extent that they are also available online and/or can be transmitted electronically:

- Commission documents,
- Council documents,
- DG 2 and 3 working documents and research papers,
- Session documents,
- Notices from the Quaestors, the Bureau and other official notices;

75. Asks instead for limited but sufficient numbers of these documents to be available in paper form at the document counter;

76. Calls for a system of electronic signature to be introduced, whereby a Member's signature can be applied to documents such as amendments and parliamentary questions without having to have recourse to transmission of documents on paper.

P5_TA(2004)0346

Modernising company law and enhancing corporate governance

European Parliament resolution on the communication from the Commission to the Council and the European Parliament: Modernising company law and enhancing corporate governance in the European Union – A plan to move forward (COM(2003) 284 – C5-0378/2003 – 2003/2150(INI))

The European Parliament,

- having regard to the communication from the Commission to the Council and the European Parliament (COM(2003) 284 – C5-0378/2003),
 - having regard to the communication from the Commission to the Council and the European Parliament: Reinforcing the statutory audit in the EU (COM(2003) 286),
 - having regard to its resolution of 12 February 2004 on corporate governance and supervision of financial services – the Parmalat case⁽¹⁾,
 - having regard to Rules 47(2) and 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the Internal Market and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Industry, External Trade, Research and Energy and the Committee on Employment and Social Affairs (A5-0253/2004),
- A. whereas the Commission communication defines important objectives that should guide EU initiatives to modernise European company law and strengthen corporate governance,
- B. whereas the events which occurred recently, first in Japan and subsequently in the United States and Europe, involving major industrial groups (in particular Parmalat), illustrate that the rules on transparency that should provide a frame of reference for action by European companies need to be more clearly defined; whereas in this connection the effects of such scandals are borne in particular by small shareholders, savers investing in funds or trusts and other creditors as well as workers, who lose their jobs and salaries,

⁽¹⁾ P5_TA(2004)0096.

Wednesday 21 April 2004

- C. whereas, in connection with the globalisation of the economy, a set of internationally recognised principles and rules is needed to protect the interests of companies, investors and workers,
- D. whereas it was decided at the Lisbon European Council and subsequent Spring European Councils to make the EU the most competitive knowledge-based economy in the world, based on investment in human resources, full and quality employment and greater social cohesion in a framework of sustainable development,
- E. whereas property rights are subject to restrictions and obligations for the benefit of society, and companies have corporate social responsibility; whereas, especially in some industries, the issue of corporate social responsibility is assuming a strategic dimension because, in their perceptions of companies, citizens are no longer thinking merely as potential consumers, but are insisting on guarantees as regards environmental protection, compliance with basic health and safety standards, and participation,
- F. whereas, furthermore, the current restructuring process is leading to greater fragmentation, outsourcing and delocalisation among companies, sometimes making it difficult to make out the actual composition of a company or where its real decision-making centres are, and often making it almost impossible to understand holdings and cross-ownership of shares or the rules and contractual provisions governing workers whose jobs have been dislocated to different parts of a pyramid or group structure,
- G. whereas the Stockholm European Council approved the setting up of a European Monitoring Centre on Change (EMCC), which is an important European information source on the economic and social changes resulting from developments and shifts in technologies, work organisation, production and business models, legislation, and the labour market,
- H. whereas good relations between management and workers and their representatives — including information and consultation, participation, bargaining and contractual agreements — are an important factor in the effectiveness of the production and social functions of a company as well as a driving force behind its success and competitiveness,
- I. whereas, furthermore, the information supplied to and the consultation of workers' representatives are generally insufficient, as regards both quality and timescales, to enable workers to influence the outcome of corporate decisions, especially when those decisions have serious employment implications,
1. Whilst respecting the traditions in Member States' company law provisions in line with the principle of subsidiarity, supports the need for urgent action to be taken in this context on European company law; considers that the enlargement process and subsequent consolidation of the internal market will make it necessary to harmonise or coordinate the different national laws so as to establish a general framework that will allow for mobility between European countries;
2. Puts particular emphasis on the importance of paying attention to the fact that the aim of measures to harmonise EU company law is to help create a level playing field for companies and that a level playing field must be ensured in the case of all measures;
3. Supports the view of the Commission that competition between national company rules is healthy, and therefore considers that competition under level playing field conditions may take the place of efforts to bring about maximum harmonisation;
4. Considers, however, that governance cannot be seen as a problem confined solely to relations between shareholders and management; in this connection, points to the essential role to be played by stakeholders within or close to the company;

Wednesday 21 April 2004

5. Takes the view that European corporate governance and company law must encompass substantial arrangements and practices to inform and consult workers and that all directives concerning company law must lay down an obligation to inform and consult workers' representatives when it is necessary to take important decisions affecting the continued survival of companies and jobs;
6. Draws attention to the importance of taking account of the work being carried out on corporate governance in the OECD;
7. Takes a favourable view of the Commission's proposals for modern corporate governance with the aim of increasing businesses' competitiveness as a crucial component of economic growth and job creation, improving protection for shareholders and creditors and enhancing the transparency of the way in which businesses operate;
8. Considers that it is necessary in all cases to distinguish between large and small shareholders, mainly as regards the use of modern technology in the exercise of shareholders' voting rights, given that small shareholders are usually more at risk;
9. Agrees with the Commission that there is no need to draw up a specific European code of corporate governance, but considers that the EU should spell out a framework of international standards to be observed and determine procedures for these to be transposed, so as to supplement the existing regulatory provisions at national level;
10. Remains convinced that priorities at EU level should be in genuine cross-border areas, and therefore calls on the Commission to accelerate the drafting of the recommendations to Member States to review national rules that hamper the establishment of undertakings across borders;
11. Agrees with the Commission that 'the EU must define its own European corporate governance approach, tailored to its own cultural and business traditions' and warns of the emergence of a tendency to copy US solutions for US problems and to import US traditions and rules that would be counterproductive for proper corporate governance in Europe;
12. Endorses the general approach adopted by the Commission with a timescale matched to the one contained in the financial services action plan and which should be sufficiently flexible as regards the balanced use of legal instruments, directives and recommendations; welcomes the intention of the Commission to revise and prioritise the communication on company law and corporate governance in the wake of recent corporate scandals in Europe; agrees with the Commission that measures to encourage corporate governance must be dealt with at the same time, and with the same level of care and priority, as measures relating to company law; with regard to the rules on corporate governance, calls on the Commission to systematically take stock of the measures carried out in the Member States since the adoption of the Winter report and to take them fully into account when framing its proposals for directives and recommendations; in this connection, considers that the solutions adopted by the United States are not necessarily a suitable example for Europe and that it is vital that these rules should reflect the specific characteristics of the situation in Europe; accordingly, welcomes the Commission's efforts to develop projects for the formation of a European company;
13. Expresses doubts about the point of the setting up by the Commission of a European Corporate Governance Forum, as harmonisation of corporate governance codes is not being proposed and coordination of work on national codes already takes place at association level (for example, Unice);
14. Considers it vital in this connection that the Member States' supervisory and monitoring bodies should meet three requirements: stability of the financial system, transparency of markets, corporate balance sheets and corporate behaviour, and safeguarding competition; in particular, it is vital to:
 - (a) ensure the autonomy, independence and integrity of members of the management and supervisory boards, auditors and rating companies;
 - (b) ensure that the authorities responsible for monitoring the stock exchange are able to function effectively, giving them the necessary resources and staff;

Wednesday 21 April 2004

- (c) create framework conditions for the work of anti-trust authorities;
 - (d) promote an effective system of cooperation between central banks;
15. Urges the Member States effectively to fulfil the undertakings given in recent years as regards meeting the Lisbon objectives, at national, regional and local level, so as to provide a regulatory, institutional, political and participatory framework for all actors concerned, including companies;
16. Stresses the need for companies to observe in their day-to-day conduct the principle whereby property rights are subject to restrictions and obligations for the benefit of society, and to be aware of their corporate social responsibility;
17. Points to the need to draw up a comprehensive and more exact definition of corporate social responsibility as a key aim for a forward-looking corporate policy and as a guiding principle for European socio-economic policies; maintains also that the basic principles of corporate social responsibility must be fully integrated into all spheres of Community activity, particularly company law, the internal market, competition policy, legislation on financial markets, commercial policy, the common foreign and security policy, and development cooperation policy;
18. Regrets the fact that the High Level Group of Company Law Experts appointed by the Commission in September 2001 takes the same approach to all businesses and shareholders and considers that in order for these objectives to be achieved, instead of adopting a uniform approach to all businesses, a distinction should be drawn between those listed on the stock exchange, companies not listed on the stock exchange and particularly small and medium-sized businesses in this category;
19. Endorses the proposal that companies listed on the stock exchange should make an annual statement on corporate governance to provide investors with greater transparency and more information to guide their choices; however, this statement cannot and must not prevent the competent supervisory authorities from carrying out independent checks wherever they see fit;
20. Repeats its request to the Commission, when dealing with the relevant directive (Fourth Company Law Directive), also to submit a proposal providing for social and environmental information alongside the financial information requirements;
21. Welcomes the business world's initiative on greater openness and urges the Member States to encourage greater openness and transparency with regard to corporate reporting on governance since this will improve the flow of corporate capital and, in the long term, the confidence of market players;
22. Supports the Commission in its intention to strengthen shareholders' rights in particular through extension of the rules on transparency, proxy voting rights, the possibility of participating in general meetings via electronic means and ensuring that cross-border voting rights are able to be exercised;
23. Expresses its regret that no mention is made of the consequences for corporate governance of certain practices resulting from differences in the financing of companies, especially between the Anglo-Saxon tradition — where share ownership spread through financial markets predominates — and the continental tradition where banks and majority shareholders play a more important role; urges the Commission to carry out such an analysis and to avoid conclusions and initiatives based simply on a unilateral approach;
24. Calls for the Commission, as a matter of priority, and on the basis of suitable proposals, to help win acceptance for the principle of 'one share one vote' wherever it applies, in order to ensure equal treatment for all shareholders;
25. Calls on the Commission as a matter of urgency to strengthen the rules on corporate controls, particularly as regards auditing and introducing stringent penalties for fraud;
26. Urges the Commission and Member States to ensure strict application of European legislation on market abuse, financial prospectuses and transparency;

Wednesday 21 April 2004

27. Calls for the points related to simplification of the capital maintenance rules to be considered carefully and continues to support the principle of minimum capital;
28. Takes a positive view of the Commission's interest in cross-border mergers and the corresponding mobility of companies; stresses, however, that this interest must be matched by measures to facilitate the mobility of workers in the corresponding companies;
29. Insists on the need to guarantee that, in the case of listed companies, the possibility of being audited and advised by the same firm is ruled out;
30. Welcomes the proposal for a directive on the statutory audit of annual accounts and consolidated accounts (COM(2004) 177) submitted by the Commission and, in particular, supports the key principles on the full responsibility of the statutory auditor with regard to the consolidated accounts of the audited company and the need to set up an independent committee for the statutory audit of accounts in every public interest entity; shares the Commission's view that all listed companies — especially banks, insurance undertakings, hospitals and pension funds — should be classified and regulated as public interest entities, given their economic and social importance;
31. Stresses the need for listed companies and other public interest entities to have an Audit Committee, whose functions should include overseeing the external auditor's independence, objectivity and effectiveness;
32. Stresses the need for corporate governance to include auditing rules designed to enhance the responsibility of audit groups and their independence from management, and to improve and harmonise public supervision of auditors as regards problems relating to the scope and terms of reference of supervision, the composition of supervisory committees, the principles, quality and transparency of supervision and the mechanisms and methods for sanctions;
33. Agrees with the Commission proposal to set up a public electronic register of statutory audit firms — which have been approved by designated public authorities within the Member States — clearly and transparently listing the legal form, make-up and independence of the statutory audit groups; emphasises the importance of creating a system of recognition based on a high level of competence, training and professional ethics in statutory audit firms and the need to make information on the relations between the audit firm and the audited firm public, accessible and transparent, including information on fees charged and payments made;
34. Supports the establishment of a committee to regulate auditing in the EU that would include among its fundamental principles protection of the public interest and of all parties concerned; stresses the need to develop a common system of statutory auditing standards within the EU by means of a cooperation mechanism which is efficient and consistent with regard to the existing national systems; considers that the setting up of a single authority responsible for accounting and financial supervision in Europe would be a possible long-term solution;
35. Considers it vital to improve cooperation at Community level between the bodies supervising statutory auditing in the Member States with a view to developing a common system of requirements to guarantee a high level of integrity and independence; considers the development of a cooperation model with the regulatory and statutory audit bodies of non-EU countries — based on the principle of reciprocity — to be vital for the sound and healthy operation of the financial markets;
36. Calls for all international bodies (G-8 Financial Stability Forum, OCSE, FATF — Financial Action Task Force on Money Laundering) to speed up negotiations designed to develop a binding framework for offshore centres and other tax havens;
37. Welcomes the Commission's effort in its 2004 work programme to revise the rules on the transfer of deficits and surpluses within a company operating in a number of Member States and urges the Commission to expedite this work since it is of vital importance for many companies operating across Europe;

Wednesday 21 April 2004

38. Invites the Commission, moreover, to consider integrating into the proposal on Eighth Council Directive 84/253/EEC of 10 April 1984 based on Article 54(3)(g) of the Treaty on the approval of persons responsible for carrying out the statutory audits of accounting documents⁽¹⁾ other provisions such as a prohibition on the performance by the same auditors of all non-audit services to audit clients;

39. Calls on the Commission to promote cooperation between the bodies and institutions responsible for supervision and control of relations between companies and banks, in order to protect the interests of small shareholders and savers investing in funds or trusts;

40. Points out that, if it is translated into reality and made transparent to the public, corporate governance enhances a company's image and rating alike and hence its position on the capital and financial markets, thus working, in the final analysis, in the company's interest;

41. Considers it vital, furthermore, that shareholders should be able to take part in discussions on the remuneration of directors and supports the idea that a recommendation should be adopted introducing a regime covering essential aspects of directors' remuneration policy;

42. Calls on the Commission to propose a legal framework laying down rules governing the activities and structure of 'institutional investors', taking into consideration a requirement concerning participation in shareholders' meetings;

43. With regard to the Commission's other proposals, considers it vital to maintain the proposal for a directive requiring institutional shareholders to disclose information on their investment policy, given the direct influence they wield over the shape and substance of corporate governance for companies in which they invest; welcomes the more active role that some institutional investors and particularly pension funds have already taken in corporate governance and urges the Commission to start an active consultation with the sector on obligations to provide information on their investment policies and exercising of voting rights in companies in which they invest;

44. Calls on the Commission to examine the possibility of conflicts of interest in connection with holdings in companies and banks and to propose rules to eliminate and prevent conflicts of interest;

45. Stresses the need for extensive transparency as regards remunerations, including both fixed and variable components, and any incentive or stock option schemes for management;

46. Calls on the Commission substantially to improve information and transparency procedures for groups and pyramid structures, since the formation of a company into groups and, in particular, pyramid structures, can make its actual structure less transparent;

47. Calls on the Commission to speed up work on information and disclosure with regard to a group's structure and intra-group relations by revision of Seventh Council Directive 83/349/EEC of 13 June 1983 based on the Article 54(3)(g) of the Treaty on consolidated accounts⁽²⁾, in order to provide more transparency, and in this connection asks that the Commission reflects on ways to make features such as special purpose vehicles and tax-haven subsidiaries more transparent;

48. Asks the Commission to examine to what extent certain particularly opaque pyramid structures, whose primary purpose is to maintain control of a company, may be barred from being admitted to the stock exchange;

49. Supports the Commission's proposal to produce a directive on corporate restructuring and mobility;

⁽¹⁾ OJ L 126, 12.5.1984, p. 20.

⁽²⁾ OJ L 193, 18.7.1983, p. 1.

Wednesday 21 April 2004

50. Considers at the same time that the long-awaited amendment of the directive on European works councils is now inevitable, necessary, and a matter of the utmost urgency; with this in view, calls on the Commission immediately to initiate the consultation between management and labour provided for by the Treaty, laying down clear guidelines as to the aim to be achieved, especially as regards the information and consultation timescales and procedures, which must enable workers' representatives to exert genuine influence over processes under way;

51. Supports the work on a European Private Company; maintains that any new company form (what is termed the 'European Private Company') designed to simplify regulatory standards and procedures on a Europe-wide basis should not conflict with the rights of participation defined in other existing company models and that the relevant rights laid down in the directive on the European company statute should accordingly be extended in a coherent manner to apply to the European Private Company;

52. Welcomes the Commission's initiative in launching a feasibility study concerning the European Private Company (EPC) which has broad support among the players concerned; calls on the Commission, furthermore, to review in that feasibility study the minimum capital requirements for the establishment of a European company (SE) in accordance with Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE)⁽¹⁾ or to put forward proposals for a new form of European company adapted to small and medium-sized enterprises; considers that the minimum capital requirement of EUR 120 000 makes it difficult for small and medium-sized enterprises to use the corporate structure of the European company (SE);

53. Considers that for small limited companies the second directive's system is particularly strict;

54. Supports the Commission in its intention, on the basis of a directive, to give companies throughout the EU the choice between a one-tier and a two-tier board structure;

55. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and regulatory and supervisory authorities of the Member States and the accession countries.

⁽¹⁾ OJ L 294, 10.11.2001, p. 1.

P5_TA(2004)0347

Cyprus

European Parliament resolution on Cyprus

The European Parliament,

- having regard to its assent of 9 April 2003 to the application by the Republic of Cyprus to become a Member of the European Union⁽¹⁾,
- having regard to the Treaty on the Accession of the Republic of Cyprus, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Slovak Republic and the Republic of Slovenia to the European Union, and in particular Protocol 10 thereof,
- having regard to its resolution of 11 March 2004 on the comprehensive monitoring report of the European Commission on the state of preparedness for EU membership of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia⁽²⁾,
- having regard to Rule 37(2) of its Rules of Procedure,

⁽¹⁾ OJ C 64 E, 12.3.2004, p. 365.

⁽²⁾ P5_TA(2004)0180.

Wednesday 21 April 2004

- A. whereas it has consistently supported all efforts to reunify Cyprus,
- B. whereas it has specifically supported the recent settlement process started in New York and concluded in Bürgenstock, Switzerland, under the auspices of UN Secretary-General Kofi Annan,
- C. whereas one of the top priorities and challenges for the EU is to be able to project peace and stability to neighbouring, and future member, countries,
- D. whereas it is understandable that in a negotiation process based on compromises the resulting agreement never fully satisfies both sides in all its aspects, and whereas measures and arrangements can in any case be changed by mutual agreement once confidence is established and peace built,
1. Points out that the final settlement plan has been negotiated between the two sides on the island of Cyprus with the involvement of Greece and Turkey and has been finalised under the authority of the UN Security Council by the UNSG Kofi Annan;
 2. Expresses its support, and welcomes the initiative of the United Nations Secretary-General, who on 31 March handed over to the two parties the final version of his plan on the reunification of Cyprus, which will be put to two separate referenda on the island on 24 April, as agreed by all parties in New York on 13 February 2004, so that the reunited island can join the European Union on 1 May;
 3. Acknowledges — although it would unreservedly welcome a united Cyprus as a member of the European Union — the right of Cypriots to decide for themselves on the plan in a referendum without pressure from the outside and will respect such a decision, but points out that a broad, fact-based information campaign is still necessary;
 4. Considers that this final document constitutes a historic compromise which would end one of the longest-running conflicts in Europe and could serve as a shining example for handling equally difficult international issues;
 5. Considers that the final revised plan institutionalises a functional federal system of government which is able to ensure that a reunited Cyprus can speak with one voice and fully play its role in the framework of the European institutions, and calls on all parties to fulfil their obligations with honesty and openness;
 6. Takes note that the proposed Act of Adaptation of Protocol 10 does not contain permanent derogations from the 'acquis communautaire', but only transitional periods, and calls on the Commission to rigorously discharge its responsibilities for reviewing the application of the provisions of the Act;
 7. Understands that the population of Cyprus has numerous questions regarding many extremely complex elements of the plan, but is convinced that any difficulties which may arise in the implementation of the agreement can be solved with the assistance of the EU institutions, especially with respect to property restitution and the re-establishment of the 1974 refugees;
 8. Reminds both sides on the island that the EU, through the involvement of the Commission, has underlined its support for the process leading towards the final shape of the peace and reconciliation plan;
 9. Takes the view that gradual demilitarisation of the island would facilitate mutual understanding between the two communities and pave the way for their full reconciliation;
 10. Shares the Commission's view that it is not a question of making a choice between the Annan plan and another plan, but of choosing between this plan and no alternative for a long period of time;
 11. Calls on the citizens of Cyprus to be fully responsible, consistent and committed to their status as EU citizens, and to seize this historic opportunity to reunify their country in a peaceful way;

Wednesday 21 April 2004

12. Reassures the citizens of Cyprus that the European Parliament, the Council and the Commission are willing to provide financial support for the implementation of the settlement and the 'acquis communautaire'; welcomes the positive result of the high-level pre-donors' conference on 15 April 2004 as an important signal of the solidarity of the European and international community;
 13. Assures both sides that the EU institutions will rigorously guarantee with other international institutions the implementation of the settlement as this is a question touching upon their own credibility;
 14. Confirms its intention actively to monitor the implementation of the Annan Plan, through its competent committee, and to make its contribution to the guaranteeing of the plan;
 15. Instructs its President to forward this resolution to all parties to the negotiation process, the Council and Commission, the governments and parliaments of the Republic of Cyprus, Greece and Turkey, and the UN Secretary-General.
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P5_TA(2004)0348

Single payment area

European Parliament resolution on a legal framework for a single payment area (2003/2101(INI))

The European Parliament,

- having regard to the Commission communication to the European Parliament and the Council concerning a 'New Legal Framework for Payments in the Internal Market' (COM(2003) 718),
 - having regard to the European Central Bank's progress report of 26 June 2003 entitled 'Towards a Single Euro Payments Area',
 - having regard to the European Payments Council's White Paper entitled 'Euroland: Our Single Payment Area' of May 2002 ⁽¹⁾,
 - having regard to the hearing of experts organised on 20 January 2004 by the Committee on Economic and Monetary Affairs,
 - having regard to Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0192/2004),
- A. whereas the reliable and efficient processing of all cross-border payment transactions in the European Union is essential for completion of the internal market and, therefore, a single euro payments area should, as far as possible, be achieved before the banking industry's 2010 target date,
- B. whereas, especially since the European Payments Council was set up in 2002, the European banking industry has made significant efforts to press ahead with the notion of a single payment area; whereas, however, putting plans into practice, such as, for instance, the implementation of agreed standards, is still causing difficulties,
- C. whereas the situation as regards cross-border retail payments in the European Union continues to be unsatisfactory and citizens making cross-border payments continue to encounter difficulties which they do not face with purely national transactions,

⁽¹⁾ <http://www.europeanpaymentscouncil.org/>

Wednesday 21 April 2004

- D. whereas a coherent legal framework for retail payments is needed at European level which incorporates and consolidates the host of existing rules, eliminates legal uncertainty and inconsistencies and closes regulatory gaps,
- E. whereas, following the enlargement of the European Union, the legal framework will have to encompass more national systems and procedures and whereas the accession countries will not introduce the euro until a number of years have elapsed, at the earliest,
1. Welcomes the Commission's initiative to establish the legal prerequisites for the creation of a single retail payments area in the European Union; points out, however, that Community rules should be formulated in such a way that the efficiency of national systems and procedures is not impaired;
 2. Considers that customers must be provided with a set of convenient, cheap, reliable and predictable instruments of payment;
 3. Calls on the Commission to produce economic studies at an early date with a view to clarifying what is at stake and what options might be pursued as regards, among other things, infrastructure, interoperability and interbanking;
 4. Considers that, given the unsatisfactory current situation in the European payment area, at the technical level the necessary legal measures must be taken in order to establish an efficient, effective European payment system;
 5. Calls on the Commission, when implementing the individual components of the legal framework, to choose in each case the legal instrument which involves the least regulatory intervention in order to realise the objective; takes the view that, wherever it appears practical and feasible, there should be self-regulation by market participants;
 6. Considers that, in accordance with the principle of subsidiarity, if self-regulation fails or proves inefficient, priority for the regulation of the operation of the European payment area must be given to directives and then to regulations, to ensure that legal measures will take effect at the same time and in the same way throughout the European Union;
 7. Considers that regulation of cross-border euro payments must conform to the principles that consumers must invariably incur the same costs as at national level and that the proper national authorities must be the first to be called upon to ascertain that the measures laid down are being effectively implemented in each country;
 8. Maintains that this implies a clear definition by the institutions of the European Union of the objectives and the implementation schedule and monitoring of implementation by the economic stakeholders;
 9. Takes the view that prudential rules to which payment service providers are subject should be made more uniform throughout Europe in order to ensure a level playing field; considers that further fragmenting of prudential supervision provisions or a lowering of prudential supervision standards must be prevented; takes the view that, in the interests of all parties concerned (consumers, traders and banks), the creation of a new role, that of payment service provider, must not lead to any diminution, in physical, prudential, financial and economic terms, of the security of the means of payment issued in the market;
 10. Calls on the Commission to monitor with the utmost vigilance trends in respect of mergers between payment service providers; notes that in some areas, e.g. credit cards, the market is dominated by a small number of firms operating from a dominant position;
 11. Welcomes the Commission's intention to include both cross-border and purely domestic payments in the legal framework; calls for the scope of the legal framework to be extended from 2006 to all intra-EU euro payments of up to EUR 50 000; calls for uniform rules governing transactions in other EU currencies;

Wednesday 21 April 2004

12. Believes that the legal rules governing money transfers in the euro zone need to be amended and strengthened, especially as regards the amounts transferred, which must be credited in full to the payee's account, and that the time taken to execute such transfers should not exceed six working days, to be reduced to three working days as from 2008;

13. Considers it necessary to improve the legal certainty and technical security of payments in the euro zone, given that consumers are entitled to expect that, within the internal market, they will be protected to the same degree as they are in their country of origin;

14. Welcomes the intention of the European banking industry and of the Commission to establish a pan-European direct-debit scheme;

15. Maintains that, in the bank card sector, where cross-border operations are far more satisfactory, one priority must be to introduce second-generation smart cards across the board, without falling behind the schedule laid down, in order to make such cards safer to use throughout the European Union;

16. Regards it as essential that bank customers be given the most important information in a succinct, comprehensible form;

17. Regards the promotion of customer mobility as essential in the interests of proper competition; calls on the banking industry to submit proposals for a standardised data communication procedure (standing orders, direct debits) in order to make it easier for customers to move accounts; calls for charges for closing accounts to be made transparent very rapidly;

18. Advocates, in the interests of legal certainty and the cost-efficient processing of payment orders, early irrevocability (that is, before the transfer is initiated) of payment instructions given directly to a payment service provider (transfers); in the case of direct-debit payments, however, calls for provisions making it possible to revoke them over a longer period, in particular where the amount to be paid cannot be specified by the customer when giving the payment instruction;

19. Welcomes the objective of promoting distance selling and Internet selling throughout the European Union; rejects the notion of making payment service providers accountable in the event of disputes between traders and customers, whether by means of rules on liability or extended cancellation rights for customers; insists, rather, on clear demarcation between the basic transaction and the payment; takes the view that the development of (optional) safeguard systems (for example, the use of escrow accounts) should be left to the market;

20. Takes the view that payment service providers should be responsible for the accurate execution of instructions from customers, in accordance with the national laws of the Member States, and should bear the burden of proof once the instruction enters their domain; rejects any extension of strict liability; is of the opinion, however, that within the legal relationship with customers as regards errors of selection, the liability of service providers should also extend to the selection of other intermediary firms and technical facilities used; suggests that, by way of self-regulation, banking associations, payment network operators and traders should adopt a procedure for settling questions of internal liability promptly; takes the view that the appraisal of liability, where a question of consequential damage or force majeure arises, should be left to national courts;

21. Suggests that when a payment card has been fraudulently used by a third party, the liability of the cardholder — limited to a given amount — should apply, depending on the seriousness of the case and the degree to which the cardholder is at fault, only if specifically defined obligations have been infringed; considers that a cardholder should on no account be held liable once he has informed the payment service company that his card has been wrongfully used, and that the payment service provider must furnish evidence of such notifications, especially those made by telephone;

Wednesday 21 April 2004

22. Calls for the legal framework to enshrine the principle that, whatever means of payment is used, the full amount specified in the payment order must be credited to the recipient's account without deduction unless the recipient has expressly entered into a different arrangement with his bank, in which case the amount and type of deduction must be disclosed to the recipient;

23. Welcomes the Commission proposal, regarding Special Recommendation VII of the Financial Action Task Force on Money Laundering, to define the European Union as an integrated legal framework; takes the view, however, that threshold values should be introduced for cash transfers; notes that 'effective risk-based procedures ... to identify any transfers ... which lack the required originator information' are technically impossible to achieve;

24. Urges the banking industry to enhance on-line banking security continually, in collaboration with the IT industry and supervisory authorities, and to give customers comprehensible information about risks and the precautions to be taken;

25. Recognises the benefit that a reduction in the maximum execution time for credit transfers from six working days to three working days would bring to consumers; agrees with the Commission, however, that non-euro cross-border credit transfers are not technically ready to be put on the same level as credit transfers executed in euros, although non-euro cross-border transfers should aim to reach the same level as soon as possible;

26. Welcomes any alternative dispute resolution arrangements that might help to avert protracted litigation; considers that if voluntary dispute resolution fails to settle disputes quickly and cannot secure effective complaint and redress procedures for consumers, dispute resolution arrangements should be made compulsory in the Member States and at European level;

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

P5_TA(2004)0349

Integrated product policy

European Parliament resolution on the communication from the Commission to the Council and the European Parliament on Integrated Product Policy – Building on Environmental Life-Cycle Thinking (COM(2003) 302 – C5-0550/2003 – 2003/2221(INI))

The European Parliament,

- having regard to the communication from the Commission to the Council and the European Parliament (COM(2003) 302 – C5-0550/2003),
- having regard to the Sixth Community Environmental Action Programme⁽¹⁾,
- having regard to the Fifth and Sixth Framework Programmes for Community Research, Technological Development and Demonstration Activities,
- having regard to the Lisbon Process launched by the Göteborg European Council on 15/16 June 2001,
- having regard to Directive 98/4/EC of the European Parliament and of the Council of 16 February 1998 amending Directive 93/38/EEC coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors⁽²⁾,
- having regard to the proposal for a Directive of the European Parliament and of the Council establishing a framework for the setting of Eco-design requirements for Energy-Using Products and amending Council Directive 92/42/EEC (COM(2003) 453),

⁽¹⁾ OJ L 242, 10.9.2002, p. 1.

⁽²⁾ OJ L 101, 1.4.1998, p. 1.

Wednesday 21 April 2004

- having regard to the communication from the Commission to the Council and the European Parliament: Towards a Thematic Strategy on the Sustainable use of Natural Resources (COM(2003) 572) and the Communication from the Commission to the Council and the European Parliament on stimulating technologies for sustainable development: an Environmental Technologies Action Plan for the European Union (COM(2004) 38),
 - having regard to Rules 47(2) and 163 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0261/2004),
- A. whereas economies are like ecosystems: both systems take in energy and materials and turn them into products and processes, the difference being that our economy follows linear resource flows whereas nature is cyclic; whereas, against the backdrop of rapidly growing economies and populations, production and products that lead to waste streams which nature cannot absorb or which cannot be turned into new resources are increasingly problematic from the point of view of sustainability,
- B. whereas the changes in the biosphere induced by human society are widespread,
- C. whereas incremental policy steps have led to improvements, but real progress towards sustainable development cannot be achieved through such measures alone,
- D. whereas exceeding the carrying capacity of the earth can help society temporarily to raise material living standards but, at the same time, puts our natural capital in serious decline; whereas limitations to prosperity in the future will be determined by natural capital rather than industrial innovation and skills,
- E. whereas the interests of commerce and the environment need not be in conflict; recognising at the same time that sustained economic prosperity in the future will only be possible in a market-based system in which all forms of capital, including natural capital, are fully valued, and the costs of damage to human health and the environment are fully internalised into product prices,
- F. whereas a transformation of the present system of production and consumption is urgently needed; whereas the main objective is to redirect consumption in a sustainable direction and bring the processes of raw material extraction, production and product design as much into line with natural processes and designs as possible,
- G. whereas society depends primarily on products made up of a set of different materials i.e.: biological, mineral and synthetic materials, which are often combined to produce composite materials; whereas these materials ought to be used and handled in such a way that, when the useful life of the products is over, they do not become useless waste,
- H. whereas the creation of product life cycles would be significantly facilitated by the phaseout of substances that are persistent, toxic and bioaccumulative, or of similar concern,
- I. whereas the IPP (Integrated Product Policy) concept offers opportunities to create a framework for the systematic bundling of those instruments of substance-oriented environmental policy and policies on the protection of natural elements (such as water, air, etc.) conducted to date, and which have had an isolated impact, so as to make instruments for resource efficiency, waste minimisation and controlled use of hazardous substances more coherent and more transparent for consumers and industry,
- J. whereas the Commission proposal, giving priority to 'working with the market', has its merits; whereas such a strategy can only be successful if market prices reflect the true cost of production and consumption; whereas the strategy should be accompanied by sound scientific research into the internalisation of external costs and can only be successful if scientifically clear boundary conditions are set, based on the carrying capacity and preserved health of the natural systems,

Wednesday 21 April 2004

- K. whereas the IPP is meant to be an integrating concept, providing principles to be observed by EU environmental policies in general,
- L. whereas the Commission has launched a variety of policy proposals, all related to IPP, without sufficient attention being paid to the need for an integrating systems view and to the many links and synergies that do exist,
- M. whereas the Commission initially devotes all its attention to products; whereas this is highly regrettable since it is by offering services, rather than products, that powerful incentives are created for a more efficient use of energy as well as materials,
- N. whereas our industrial system feeds on distant ecosystems by means of trade and is often insensitive to their degradation; whereas this implies that efforts to promote the IPP approach on an international level as pointed out in the Communication are highly important,
- O. whereas consumers are in great need of relevant information as regards the environmental characteristics of products and whereas the various eco-label systems were launched with the best of intentions; whereas, however, most eco-label efforts have not come up to expectations; whereas the most obvious shortcomings are those observed at EU level,
- P. whereas the information flow through the whole product chain needs to be improved and whereas there is a need for the development and co-ordination of different information instruments, not least to facilitate reuse and recycling,
1. Welcomes the IPP communication but regrets that it provides only limited guidance on how to move society in the direction of truly sustainable systems of product development and design;
2. Calls on the Commission to present, at the earliest possible opportunity, a framework directive for IPP based on a set of clearly defined principles and objectives; points out that the objective is not to present detailed requirements for product design but to establish framework conditions aimed at facilitating business practices in the future which should be built on systems thinking, giving priority to resource efficiency and should be structured progressively along biological lines;
3. Notes that the IPP concept must be geared to creating a framework for product-related systematic bundling of those instruments of substances-oriented environmental policy and policies on the protection of natural elements (such as air, water, etc.) which have been conducted to date and which have had an isolated impact, and for making those instruments coherent; calls on the Commission to formulate tangible objectives aimed at establishing coherence and consistency in the area of product-related environmental protection;
4. Calls on the Commission, in preparing for the directive, to recognise the need for a horizontal policy approach, to give priority to the major environmental problems facing the Union, to explore the possibility that imported goods are covered, to make efforts to minimise the administrative burden for companies and to develop a directive that makes it easier for SMEs to fulfil their responsibilities;
5. Suggests that the main principles guiding the IPP framework have to be based on:
- (a) a systems-based approach, where life-cycle thinking is at the core and primary attention is given to product design,
 - (b) an enhanced understanding of how natural systems work and of how structuring business along biological lines can both improve the environment and establish the bottom line,
 - (c) ensuring that products whose useful life is over should ideally not become useless waste but be separated and reconditioned to become inputs for new production cycles,
 - (d) an enhanced understanding of how consumption patterns are formed and how they can be changed to contribute to sustainable development,

Wednesday 21 April 2004

- (e) optimisation of the product design process, by the selection of low-impact materials – giving preference to bio-based materials; moreover, hazardous substances, including many heavy metals, should not be allowed systematically to increase in concentration in the biosphere; furthermore, chemicals should be used in a non-dissipatory way; safety of chemicals should be assessed through a science-based hazard and/or risk-approach; priority should be given, however, to the substitution principle, meaning that hazardous substances including many heavy metals should preferably be replaced by more benign ones or safeguarded through tightly controlled closed-loop recycling,
 - (f) optimisation of production techniques, by giving preference to the clustering of production by encouraging reuse and recycling of materials, in particular by developing techniques for the separation and reconditioning of used products and materials to become input for new production cycles,
 - (g) reduction of impact during use,
 - (h) making full use of the potential offered by ICT to promote miniaturisation and dematerialisation, enhancing energy and material efficiency and reducing transport demand by turning products into sustainable services,
 - (i) maximum involvement of stakeholders;
6. Suggests that the short-term objectives for the IPP framework should be focused on reductions in emissions of greenhouse, eutrophying and acidifying gases and air pollutants, reductions in energy intensity, reductions in the use of hazardous substances, reductions in the intensity of virgin material resource use, water use and waste production and increase in renewable material use;
7. Recognises that, without the creation of such a framework, the necessary signals and incentives are not put across to designers and decision makers; insists that the IPP framework should provide clear targets for these priority environmental objectives, drawing from existing and future targets and objectives in the relevant framework directives, international conventions and thematic strategies so as to send a clear orientation to designers and decision makers;
8. Calls on the Commission to assist industry in the on-going IPP process by means of coherent and consistent rules in order to promote sustainable development and rethink traditional business models in an effort to facilitate the evolution of more integrated and systems-based practices, such as for instance the clustering of production, functional thinking (turning products into services), dematerialisation and technology development based on imitating nature;
9. Calls on the Commission to give priority to the following actions:
- (a) develop the necessary legal and economic framework conditions, objectives and incentives to make IPP a reality,
 - (b) identifying key R & D areas and pilot projects,
 - (c) developing and implementing effective information tools at consumer level (product registers, eco-labels and/or comparable tools); presenting a strategy on how different information instruments can be developed and co-ordinated in order to improve the information flow in the whole product chain,
 - (d) developing and implementing education and awareness-raising programmes in society at large, giving special attention to certain target groups,
 - (e) integrating IPP and life-cycle thinking in all major EU policy areas,
 - (f) drawing up a plan for co-ordinating IPP with other on-going processes such as relevant thematic strategies, the follow-up to Johannesburg, Chemical Strategies, Climate action plan etc.;
10. Calls on the Commission to explore possible measures for the promotion of sustainable consumption with a focus on reduced resource consumption and resource efficiency, enabling consumers to act in a more sustainable way;

Wednesday 21 April 2004

11. Calls on the Commission to make the various IPP instruments (including eco-labels, management systems, public procurement, EMAS, product information, etc.) dovetail with each other, to make them clear for the consumer and practicable for all undertakings;
12. Calls on the Commission, when refining the IPP concept, to attach particular importance to knowledge transfer and environmental information for consumers;
13. Insists that, to promote the consumption of environmentally friendly products, the Commission encourage Member States to consider various incentives, such as reduced taxes, rebates etc.;
14. Recommends that the Commission develop the concept of life-cycle thinking into a policy principle that could be referenced, but stresses the need to have a realistic understanding of the value and manifold limitations of life-cycle assessments (LCAs), in particular given the continuing problems with regard to the availability, quality and comparability of LCA data;
15. Calls on the Commission to mainstream life-cycle thinking in all its relevant legislative proposals;
16. Recommends that the Commission draw up a strategy in order to include the life-cycle and eco-design concept as an objective in primary and higher education, engineering and business schools;
17. Calls on the Commission to carry out an IPP compatibility review of existing legislation and to abolish provisions that are no longer relevant;
18. Calls on the Commission to develop a system of benchmarking for key product groups to enable improvements in environmental performance to be measured over time;
19. Urges the Commission to recognise the key role played by the availability, quality and comparability of environmental lifecycle data of products in enabling IPP – especially for benchmarking, labelling and other IPP tools;
20. Calls therefore on the Commission to come forward with a proposal to Parliament and Council on how to ensure that manufacturers provide environmental lifecycle data on their products and to assist them in doing so and on how this information can be used;
21. Urges the Commission to develop systems for technology procurement at EU-level, ideally managed by the Commission or managed by the Member States and coordinated by the Commission, the purpose being to stimulate the development of more functionally-oriented innovations, including enhanced environmental performance;
22. Insists that market prices must reflect the true social and ecological costs of production and consumption in order for 'green products' to attract the interest of consumers and in order to encourage the evolution of more sustainable products; urges the Commission to reduce and/or eliminate subsidies counteracting IPP; urges the Commission to take the lead in implementing the Polluter Pays Principle; calls on the Commission to promote 'working with the market', to which the Commission proposal attaches priority, and have this accompanied by sound scientific research into the internalisation of external costs;
23. Calls on the Commission to acknowledge the importance of producer responsibility with regard to the full life cycle of a product, and therefore calls on the Commission to investigate and produce a report on the possibility of introducing general producer responsibility concerning the environmental aspects of their products, as is already applied for general product safety;
24. Calls on the Commission to give at least equal relevance to 'service design' (functional and system thinking) as compared to 'product design' and to undertake clear actions within IPP to shift from products to services, where possible and environmentally beneficial;

Wednesday 21 April 2004

25. Calls on the Commission to assess the achievements and limitations of the New Approach and present proposals for its revision;
 26. Calls on the Commission and on the Member States to make available sufficient resources to implement IPP;
 27. Recommends that the role of retailers in delivering product information be further investigated, and that the critical role of marketing and indeed of the finance and insurance sectors should be recognised;
 28. Considers that public access to environmental information on products is a fundamental prerequisite for and incentive to manufacturers to reduce the life-cycle impacts of their products;
 29. Calls on the Commission to take into consideration on-going R & D programmes on eco-design and to use resources within the Sixth Framework Programme proactively to stimulate the necessary trans-disciplinary research needed for IPP, including the development of appropriate business models; takes the view that special emphasis should be given to the development of standards for re-usable materials and separation techniques for multi-layer materials;
 30. Calls on the Commission to establish a steering committee for IPP as well as working groups in specific areas, such as systems design, economic tools, product environmental lifecycle data and consumption policy; is of the opinion that parallel to this, clear stakeholder procedures and a detailed workplan and timetable for actions, initiatives and implementation foreseen by the Commission should be established; believes, moreover, that a study should be initiated to clarify how and in what way the various tools and instruments considered to promote IPP interact, strengthen and support each other; takes the view that important aspects to be taken into consideration would be measures that enable and motivate individuals as well as companies to take account of lifecycle concerns in their decisions, measures that stimulate and reward leaders and measures that force laggards to improve, measures that address immediate challenges as well as long-term objectives;
 31. Calls on the Commission to take initiatives to promote the transfer of IPP knowledge (LCA, eco-design, etc.) to developing countries;
 32. Instructs its President to forward this resolution to the Council and Commission.
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P5_TA(2004)0350

Safety at sea

European Parliament resolution on improving safety at sea (2003/2235(INI))

The European Parliament,

- having regard to Article 31 of the Charter of Fundamental Rights of the European Union, which states: 'Every worker has the right to working conditions which respect his or her health, safety and dignity',
- having regard to its decision of 6 November 2003 to set up a temporary committee on improving safety at sea ⁽¹⁾,
- having regard to its resolutions of 21 November 2002 on the Prestige oil tanker disaster off the coast of Galicia ⁽²⁾, 19 December 2002 on safety at sea and measures to alleviate the effects of the Prestige disaster ⁽³⁾ and 23 September 2003 on improving safety at sea in response to the Prestige accident ⁽⁴⁾ and its previous resolutions on safety at sea,

⁽¹⁾ P5_TA(2003)0483.

⁽²⁾ OJ C 25 E, 29.1.2004, p. 415.

⁽³⁾ OJ C 31 E, 5.2.2004, p. 258.

⁽⁴⁾ P5_TA(2003)0400.

Wednesday 21 April 2004

- having regard to the public hearings of the Temporary Committee on improving safety at sea held on 1-2 December 2003 and 22 January and 18 February 2004,
 - having regard to the written submissions of the speakers invited to attend the public hearings,
 - having regard to its resolution of 12 February 2004 on the fate of the Greek and Filipino members of the crew of the *Tasman Spirit* in Karachi, Pakistan ⁽¹⁾,
 - having regard to the exchange of views which took place between a delegation from the Temporary Committee on improving safety at sea and the master of the *Prestige* on 5 February 2004 in Barcelona,
 - having regard to the decisions adopted by the IMO at the 23rd session of its Assembly in November-December 2003,
 - having regard to Rule 150(2) of its Rules of Procedure,
 - having regard to the report of the Temporary Committee on improving safety at sea (A5-0257/2004),
- A. whereas various incidents in European waters have caused pollution since the *Erika* and *Prestige* disasters, such as that involving the *Andinet*, which lost leaky drums containing toxic substances off the coast of the Netherlands,
- B. whereas research shows that, more than ten years after the *Exxon Valdez* oil disaster, the impact on the environment and the ecosystem is still visible and that short-term solutions such as clean-up operations can in the long term make matters even worse, although account must be taken of the particular characteristics of the oil carried by the *Exxon Valdez* and the fuel-oil carried by the *Prestige*, as well as the vast differences, in terms of coastline, climate and movement of waters, between Alaska and Galicia,
- C. whereas major accidents are not the only problem: worldwide much of the pollution with hydrocarbons caused by ships is due to deliberate discharges, such as degassing; whereas, therefore, it is necessary to combat these illegal discharges by introducing a system of appropriate penalties,
- D. whereas some maritime transport operators have made efforts to modernise their fleets and to train the seafarers they employ but further initiatives, including Community initiatives, are still needed,
- E. whereas the Commission has promised to put forward in 2004 a new package of measures to improve safety at sea, comprising proposals concerning the living and working conditions of seafarers; port state and flag state control; maritime transport management and information; passenger liability and investigations into maritime accidents,
- F. whereas the master of the *Prestige*, after having been detained for 83 days and having paid security of USD 3,2 million, is still required to report daily to the Spanish police,
- G. whereas such treatment has subsequently been repeated in the ongoing case of the *Tasman Spirit*,
- H. having regard to the rejection by the court in Corcubión of the European Parliament's request to hear the master during a public hearing in Brussels,
- I. whereas, nearly a year and a half after the disaster, still no dates have been set for the opening of the proceedings against the master,
- J. having regard to the statements by the master of the *Prestige* to Parliament concerning: the poor accessibility of the emergency towing installation because of the prevailing conditions, particularly the weather, the damage to the engine as a result of which it could not immediately be started, the requests by both the master and the rescuers to take the vessel to a place of refuge,

⁽¹⁾ P5_TA(2004)0102.

Wednesday 21 April 2004

- K. whereas the exact quantities are unclear but before the disaster there was 77 000 tons of heavy oil on board the Prestige, it is estimated that 14 000 tons now remain there, some 43 000 tons, according to the Spanish authorities' statistics, having been washed up and/or cleaned up; whereas therefore approximately 20 000 tons are unaccounted for, which consequently could still be a threat to the environment and the coast,
- L. whereas the master of the Prestige estimated that 2 000 to 3 000 tons of fuel was lost immediately after the initial damage to the Prestige, as opposed to the Spanish authorities who estimated that at that time approximately 10 000 tons was lost,
- M. whereas the IMO's budget is in the hands of the countries with open registers (44 % of all the world's vessels are registered in the Bahamas, Bermuda, Cyprus, Liberia and Panama, while the financial control over that 44 %, as far as tankers are concerned, lies with Greece — ca. 20 %, Japan — ca. 12 %, and Norway — ca. 11 %) and that it is therefore necessary to reform the structure of the IMO in accordance with the requirements of combating marine pollution and ensuring safety at sea,
- N. whereas the effects of these catastrophes extend beyond the parameters of a single Member State, having an impact upon the Community as a whole, for which reason it is incumbent on the EU to assume responsibility and to develop a comprehensive European maritime policy,

The Prestige disaster and the wreck

1. Deplores the various shipping accidents which have occurred since the sinking of the Prestige, particularly the disaster involving the freighter Rocknes off the coast of Norway, which caused 18 deaths in January 2004; calls on the authorities to investigate the causes and the circumstances, particularly the possible role played in the disaster by the lack of communication skills and the fact that this vessel was double-hulled;
2. Stresses that far more attention ought to be devoted to the maintenance and condition of vessels, as a poorly maintained double-hulled tanker represents a greater potential hazard than a well maintained single-hulled tanker;
3. Expresses its concern about the statement made by the government commissioner on behalf of the Spanish authorities that if a disaster identical to the Prestige disaster were to recur, a decision would again be taken to tow the vessel away from the coast and not to transfer it to a safe haven;
4. Calls on the competent authorities immediately to resolve the serious problem posed by the 14 000 tonnes of oil still present in the wreck, the 20 000 tonnes in the sea and the thousands of tonnes of waste in landfills, and to put forward a detailed timetable for the extraction and treatment of this waste; urges that the expertise gained in the process be disseminated and used in tackling any future accidents;
5. Calls on the Commission to obtain information on and supervise the treatment and processing of the waste from the Prestige in order to prevent and detect possible infringements of EU waste law;
6. Notes with concern that, nearly a year and a half after the Prestige disaster, all the investigations into the causes and circumstances of the disaster have still not been completed or the findings published; notes that the findings of the investigation by the Prestige's flag state (the Bahamas), for example, are still awaited; urges that agreements be reached under the auspices of the IMO on the speedy and independent investigation of shipping disasters and that the IMO include this requirement in its audit scheme for maritime authorities;
7. Calls on the Spanish judicial authorities, on the basis of total respect for the full independence of their decision-making and of Article 73 of the Montego Bay Convention, to allow the master of the Prestige to return to his country pending his trial, and to relax the requirement for him to report daily, and as soon as possible to specify the date on which the legal proceedings against the master are to begin and the schedule for those proceedings;

Wednesday 21 April 2004

Improving maritime safety at European level

8. Stresses that, in response to the Erika and Prestige disasters, important legislative measures have been taken to make shipping safer in European waters and that priority must therefore be given to the rapid and complete introduction and strict enforcement of the European rules by the Member States;

9. Calls for a comprehensive and cohesive European maritime policy, which would have as its objective the creation of a European maritime safety area; considers that this policy should be based on the following measures:

- the banning of substandard vessels;
- the drawing-up of joint protocols on prevention, action and reparation in the event of disasters;
- the introduction of a system of liability covering the entire maritime transport chain and the public authorities responsible for safety at sea;
- the improvement of living and working conditions and training for seafarers;

eagerly awaits the new Commission proposals scheduled for 2004 and considers that these proposals should form part of a legislative package entitled 'Prestige';

10. Considers that, as it is also very important to have effective emergency planning on board vessels, the Commission should propose measures to ensure that all tankers and vessels carrying a significant quantity of oil as fuel should be required to maintain a comprehensive vessel emergency response plan as part of an EU-wide industry-based Emergency Response System;

11. Deplores likewise the fact that some Member States have not fully implemented Directive 2002/59/EC⁽¹⁾ establishing a Community vessel traffic monitoring and information system and particularly Article 20 thereof, which concerns the drawing-up of plans to provide places of refuge for ships in distress,

12. Calls on each coastal Member State to establish a clear decision-making and command structure for dealing with maritime emergencies and an independent authority having the powers and expertise to take the necessary decisions which are to be binding on all parties concerned, in particular as regards the selection and mandatory assignment of an emergency mooring or port;

13. Emphasises the importance of transnational cooperation in dealing with major maritime accidents, based on standing operational networks and clear rules and procedures which are tested regularly by means of exercises;

14. Stresses that, when considering measures to improve safety at sea, sufficient attention must be devoted to particular features of the EU's various sea areas, which differ, inter alia, on account of climatic factors: for example, special safety requirements apply in the Baltic during the winter;

15. Calls for the establishment of a European coastguard service equipped with the necessary powers and instruments to ensure:

- maritime safety and the protection of the marine environment (including fisheries surveillance) and protection against terrorism, piracy and maritime crime;
- strict monitoring of adherence to certain shipping routes and the bringing of prosecutions in respect of the illegal entry of vessels;
- the swiftest possible coordination of the necessary measures in the event of an accident at sea

in compliance with the decisions of the independent national authorities to be set up in accordance with paragraph 12 of this resolution;

⁽¹⁾ OJ L 208, 5.8.2002, p. 10.

Wednesday 21 April 2004

16. Welcomes the initiative of the Commission to organise a series of visits to Member States to verify the existence and contents of plans for dealing with places of refuge; calls on the Commission to complete as soon as possible its evaluation of the plans submitted and its visits to appropriate locations and submit the results of this investigation to the European Parliament and the Council, and to make a clear statement as to which parts of the plans should be public;

17. Is concerned about the increasing transshipment of oil between vessels off the coasts of Europe; therefore calls on the Member States, when drawing up emergency plans, to take account of the specific risks associated with this;

18. Observes that the capacity for cleaning up oil at sea has proved inadequate in certain areas and that no improvement measures have been taken since the sinking of the Prestige; consequently welcomes the fact that EMSA is being assigned an operational remit in this field and stresses the importance of making available the funding needed to carry out this remit;

19. Reiterates its request that the Commission submit proposals as soon as possible for financial compensation for places of refuge and make clear the extent to which existing international conventions already provide for compensation; calls on the Member States and the Union to ratify these conventions as soon as possible;

20. Calls on the Commission to investigate the scope for introducing mandatory insurance for vessels in European waters so that damages and costs of places of refuge as well as social and environmental costs in the event of an accident can also be recovered from the owners of vessels; calls for a proposal for the introduction of an EU-wide common method for disaster assessment, with a view to facilitating, as in the US, compensation for social or collective damage to the natural heritage, including the deterioration of commercially non-viable marine and land biodiversity;

21. Considers that the insurance system to be established must cover not only the value of the cargo but also risks of potential environmental damage in the light of the nature of the cargo;

22. Calls on the Transport Council, one year after the publication of the Commission proposal, to finally adopt a position on the directive concerning the introduction of penalties (under criminal law) for pollution from ships; stresses its view that a system of penalties is crucial in order to combat illegal discharges, but that this must not result in a general criminalisation of seafarers, thereby damaging the image of their profession;

23. Views with concern the limited progress made by certain new Member States in implementing European and world rules on maritime safety; notes that there is particular concern about the following new Member States: the Baltic States, Malta and Cyprus; calls on the Commission to continue to monitor closely the process of integration of the 'acquis' and calls on the new Member States, in particular Malta and Cyprus, to continue their efforts and to strengthen their maritime administrations;

24. Welcomes the periodic publication by the Commission of a black list of vessels which are banned from entering European waters and ports; urges the Member States to enforce strictly the provisions of the port state control Directive on refusal of access and to improve, standardise and step up port inspections, while urging the Commission to carry out effective controls and to undertake an audit of the classification societies, including their subsidiaries and companies part-owned by them, introducing penalties for non-compliance with obligations;

25. Calls on the Commission to promote a detailed study of all chemical products and radioactive substances carried by vessels, providing specific information on their degree of toxicity, chemical composition and dangerousness;

26. Calls on the Commission to make a proposal for tracing (by means of transponders) containers and other loading units containing dangerous goods, so that they can be located after being lost at sea; calls on the Commission to further develop the SafeSeaNet European data exchange platform in order to add new functionalities and integrate new technological developments, such as transponders; urges the Member States to fully use this system with a view to closer monitoring of traffic and better identification of ships likely to pose a risk to safety, security or the environment;

Wednesday 21 April 2004

27. Is concerned about the registration and labelling of containers and drums containing hazardous chemicals and substances, in view of the loss of a highly toxic cargo from the Andinet in the North Sea, when it became apparent that the substance in question was not the same as that indicated in the bills of lading;

28. Is concerned that the partnership and cooperation agreement (PCA) recently concluded between Russia and the European Community provides insufficient safeguards for maritime safety in the Baltic region; calls on the Commission, therefore, to coordinate closely with Member States and the European Parliament its continuing negotiations with Russia, with a view to developing common criteria to determine conditions of access to the Baltic for ships carrying dangerous cargo; considers that the outcome of these negotiations should reflect an equal level of responsibility for both signatories so as to protect the marine environment of the Baltic region;

29. Urges the Commission, in the promised proposal for a directive on investigating shipping accidents, to provide for a system which will ensure optimal exchanges of findings from investigations between Member States, the Commission and EMSA and which will safeguard the independence of investigations, preferably by the creation of an independent European investigation unit within EMSA;

30. Calls on the Commission to examine the possibility of giving EMSA access, under certain conditions and in particular without prior notice, to vessels for the purpose of performing on-the-spot inspection and examination tasks assigned to it and to draft a proposal to that effect, if appropriate;

31. Calls, in addition, for an increased budgetary allocation for EMSA, so that it can have at its disposal, as soon as possible, a fleet of anti-pollution vessels to complement the Member States' efforts, and can also perform more effective checks on the activities of the classification societies;

32. Stresses the importance of providing the most up-to-date means of navigation, such as: Electronic Navigational Charts (ENC) and the Electronic Chart Display and Information System (ECDIS), as well as regularly updated information on water depths (especially in areas with restricted water depths);

Improving maritime safety worldwide

33. Supports the call by the Secretary-General of the IMO for the EU Member States to continue playing a full part in the work of the IMO and welcomes the outcome of the discussions between the Commissioner responsible for transport and the IMO Secretary-General on the margins of the MARE conference in January 2004 concerning closer cooperation between their organisations;

34. Reiterates its request to the Council to apply for membership of the IMO for the Union;

35. Is concerned about the increase in exports of Russian oil via the Baltic and along the shores of the EU, as they often make use of the cheapest substandard tonnage; welcomes, accordingly, close cooperation between the Commission and the IMO, which must check that classification societies are carrying out inspections properly and that the certificates issued are correct;

36. Understands the concern of the Secretary-General of the IMO regarding unilateral and regional action by countries outside the framework of the IMO, considers, however, that EU action, such as, for instance, the banning of flags of convenience from European territorial waters, may sometimes be necessary in the interests of safety; considers, moreover, that EU measures can act as a catalyst within the IMO, as in the case, for example, of the accelerated phasing-out of single-hulled tankers;

37. Considers that the designation of Particularly Sensitive Sea Areas (PSSA) under the auspices of the IMO should be accompanied by clear and enforceable rules, such as more stringent compulsory reporting, identification of all operators and rerouting of high-risk vessels, differentiated according to cargo; deplores the action taken by some IMO member states to postpone any new designation of PSSA areas;

Wednesday 21 April 2004

38. Regrets that up until now only three IMO member states have ratified the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001, of which only one is a Member State of the EU, as any bunker oil spill is a threat to the marine environment and its biodiversity, and that without full ratification there will be no international framework covering pollution damage resulting from a bunker oil spill; to that end, urges EU Member States to ratify the Convention and the Commission to promote such ratification;

39. Calls for the establishment of special zones within environmentally sensitive and navigationally difficult areas of the Baltic Sea, particularly the Kadet Trench, the Skagerrak/Kattegat, the Great Belt and the Sound, which ocean-going vessels, in particular oil tankers, may no longer negotiate without a pilot, and calls on the Commission and the Member States to initiate the necessary measures in the competent international bodies, in particular the IMO;

40. Welcomes the recommendation on harmonised rules concerning transport in the Baltic Sea area during the winter, as adopted by the Helsinki Commission for the Protection of the Marine Environment of the Baltic Sea Area (HELCOM);

41. Rejects, on the other hand, the categorical banning of high-risk vessels from the 200-mile zone, as this measure is legally contentious, impedes rapid and effective assistance to vessels in distress and their crews, and causes vessels to make detours, thereby displacing or even aggravating the problem;

42. Reiterates the need to revise international maritime law so as to confer greater powers on coastal states to reinforce maritime safety in their exclusive economic zones and to improve the protection of the marine environment;

43. Stresses that, in the interests of safety at sea, it is essential that seafarers should receive a wage which assigns value to their work, and that an end be put to the overexploitation which exists on many ships; calls on the Commission to work for harmonisation of, and a higher status for, this occupation on a European scale by means of legislation and to act to this end within the IMO;

44. Stresses that up to 80 % of accidents at sea are due to human error, and that the percentage even higher in the case of collisions and groundings; considers that the human element is multi-faceted; therefore calls on the Commission to address the human element issues when adopting a new 'Prestige' package, which it has announced for 2004, and urges the introduction of compulsory refresher courses and courses on rescue operations under the terms of the STCW Convention;

45. Calls on the Commission and the Member States to press within the IMO for more stringent international rules as regards safety training for captains, officers and crews, with particular reference to compulsory further training and refresher courses in vessel safety, accident management, fire protection and emergency measures such as towing, emergency moorings or combating harmful substances;

46. Believes there should be an international programme for cooperation bringing together all of the world's vessel inspection systems (MOUs), including a centralised and easily accessible database that can be consulted rapidly, with a view to ensuring that the movement of vessels between zones does not render it impossible to track vessels or result in the disappearance of any record of offences;

47. Welcomes in this context the inspections which EMSA will perform regarding the application of the STCW Convention in third countries; stresses that penalties are needed in cases of flagrant violation of the Convention, and calls on the Commission in particular to take strong action against countries which issue certificates of competency for merchant shipping officers on false or fraudulent grounds;

48. Calls for measures to raise the prestige of maritime occupations and make them more attractive to young people in general and young Europeans in particular;

49. Expresses its concern about the proliferation of counterfeit and fraudulent certificates; requests the Commission to establish incentives for crew members to inform authorities where these criminal activities are prevalent and no corrective action is taken by the owners or flag state;

Wednesday 21 April 2004

50. Welcomes the decisions adopted by the IMO in December 2003 concerning guidelines for ports of refuge and the introduction of a voluntary audit system for IMO member states; urges, however, that this system be made compulsory without delay and that its results be published;

51. Stresses the need for radical changes at the level of structure and responsibilities to the complex nexus of businesses (vessel and ship owners, freight contractors, oil companies, classification societies, insurers, etc) that controls international maritime traffic, as well as its relations with flag-of-convenience states; insists that this nexus is an obstacle to the efficient inspection of the condition of vessels, the introduction of the necessary safety measures, vocational training, action to secure adequate working and living conditions and wages for crews, and compliance with fiscal obligations; calls on the Commission to make a full analysis of this crucial problem and to submit a report to Parliament and the Council; this report should, in particular, deal with the relations between EU businesses and flag-of-convenience states;

52. Is aware of the difficulty faced by certain third states in implementing international rules on safety at sea; calls, therefore, on the Council and Commission to incorporate in the Community's development policy programmes to bolster maritime administrations;

53. Calls for a review of the international legislation on maritime transport with a view to improving transparency as regards operational structures and identification of the operators, type of goods carried and the safety measures applying in each case; reiterates the need for measures to encourage vessels to fly Community flags rather than flags of convenience of countries which do not meet the vessel inspection and safety standards;

54. Calls on the International Labour Organisation and the IMO jointly to adopt mandatory criteria for wages, minimum living and working conditions on board vessels and working hours and rest periods, as well as for access to vocational training;

55. Expresses its concern at the fact that fuel remains in the environment for a long time, which is a problem currently affecting at least 300 points on the Galician coast, and other coasts in the Bay of Biscay, including many Natura 2000 sites; calls for the immediate adoption of the Natura 2000 sites proposed in the region and the adoption of environmental recovery plans for those sites;

Socio-economic, environmental and fisheries aspects

56. Notes that the rapid opening-up of fishing grounds in the affected areas after the Prestige disaster did indeed in the short term ease the situation of the fishing industry concerned;

57. Stresses that, over one year after the Prestige disaster and owing to the reduction in extractive activity because of the preventive closure of fishing areas, information from some of the local fishermen's associations suggests that there has been a considerable shortfall vis-à-vis usual catch levels in respect of certain fish stocks in the area;

58. Stresses that under the new Community financial perspective (2007-2013) provision must be made for specific financial instruments for the fisheries sector of a nature suited to the needs of coastal communities affected by maritime disasters;

59. Stresses that experience of the Exxon Valdez disaster demonstrates the need for long-term scientific research into the environmental impact of the Prestige disaster; considers that this research should examine, inter alia, the knock-on effects of pollution in the food chain and the impact of the pollution on biodiversity; urges that agreements be reached on the joint financing of such research by the regions and Member States concerned and by the EU;

60. Hopes that such long-term research and exchanges of research findings will make it possible to assess more realistically the immediate and delayed damage and thus arrive at a more considered approach to future environmental disasters;

Wednesday 21 April 2004

61. Considers that the effective role played by fishing fleets in combating pollution from the Prestige and in perfecting fuel recovery trawls should encourage Member States to develop preventively, on a permanent basis, with the aid of Community funding, this flexible approach to cleaning up pollution, which makes it possible to act before pollution reaches the coast;

62. Considers that the Commission should ensure that the response to wildlife during an oil spill is integrated into the overall oil spill response and planning mechanisms, in such a way that this response accords with best practice; considers, furthermore, that the Commission should prioritise the development of adequate measures to restore damaged ecosystems following an oil spill and ensure the recovery of populations of affected species;

*

* *

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

Thursday 22 April 2004

(2004/C 104 E/04)

MINUTES**PROCEEDINGS OF THE SITTING**

IN THE CHAIR: Alonso José PUERTA

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

The sitting opened at 09.00.

Nuala Ahern asked that the President intervene with the Israeli Parliament and Government in order to improve the conditions under which Mordechai Vanunu is obliged to live after being freed (the President noted the request and indicated that he would take the matter up with the President).

2. Documents received

The following documents had been received:

1) *from the Council and Commission:*

- Draft amending budget No 6 for the financial year 2004 — Section III — Commission (8539/2004 — C5-0167/2004 — 2004/2026(BUD))
referred to responsible: BUDG
opinion: ITRE
legal basis: Article 272 EC, Article 177 EURATOM
- Proposal for a Council Directive on a specific procedure for admitting third-country nationals for purposes of scientific research (SEC(2004) 469 — C5-0192/2004 — 2004/2031(GBD))
referred to responsible: BUDG

2) *from Members:*

2.1) *motions for resolution (Rule 48)*

- Marco Pannella, Maurizio Turco, Emma Bonino, Marco Cappato, Gianfranco Dell'Alba, Benedetto Della Vedova and Olivier Dupuis on the serious and persistent violation of fundamental human rights in Vietnam (B5-0190/2004).
referred to responsible: AFET
- Roberta Angelilli on the revision of the Stability Pact (B5-0195/2004).
referred to responsible: ECON

3. Trial against Leyla Zana and others in Ankara (statement followed by debate)

Commission statement: Outcome of the trial against Leyla Zana and others in Ankara

Poul Nielson (Member of the Commission) made the statement.

The following spoke: Richard A. Balfé, on behalf of the PPE-DE Group, Johannes (Hannes) Swoboda, on behalf of the PSE Group, Andrew Nicholas Duff, on behalf of the ELDR Group, Luigi Vinci, on behalf of the GUE/NGL Group, Joost Lagendijk, on behalf of the Verts/ALE Group, Arie M. Oostlander, Anne André-Léonard, Felekna Uca and Poul Nielson.

Thursday 22 April 2004

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

- Johannes (Hannes) Swoboda, on behalf of the PSE Group, the outcome of the trial against 'Leyla Zana and others' in Ankara (B5-0193/2004),
- Joost Lagendijk, Daniel Marc Cohn-Bendit, Nelly Maes and Marie Anne Isler Béguin, on behalf of the Verts/ALE Group, on the situation of Leyla Zana, 1995 European Parliament Sakharov prize laureate, imprisoned in Turkey (B5-0196/2004),
- Sarah Ludford, on behalf of the ELDR Group, on the trial of Leyla Zana (B5-0197/2004),
- Luigi Vinci and Feleknaş Uca, on behalf of the GUE/NGL Group, on the outcome of the trial against Leyla Zana and others in Ankara (B5-0198/2004),
- Richard A. Balfe and Arie M. Oostlander, on behalf of the PPE-DE Group, the outcome of the trials against 'Leyla Zana and others' in Ankara (B5-0199/2004).

The debate closed.

Vote: *Item 7.27.*

4. Broad guidelines of economic policy – Guidelines for employment policy in the Member States * (debate)

Report on the Commission recommendation on the 2004 update of the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) [COM(2004) 238 – C5-0183/2004 – 2004/2020(INI)] – Committee on Economic and Monetary Affairs.
Rapporteur: Christa Randzio-Plath (A5-0280/2004)

Report on the proposal for a Council decision on guidelines for the employment policies of the Member States [COM(2004) 239 – C5-0188/2004 – 2004/0082(CNS)] – Committee on Employment and Social Affairs.
Rapporteur: Marie-Thérèse Hermange (A5-0277/2004)

Marie-Thérèse Hermange introduced the report (A5-0277/2004).

Christa Randzio-Plath introduced the report (A5-0280/2004).

Stavros Dimas (Member of the Commission) spoke.

The following spoke: Stephen Hughes, on behalf of the PSE Group, Olle Schmidt, on behalf of the ELDR Group, and Herman Schmid, on behalf of the GUE/NGL Group.

IN THE CHAIR: Catherine LALUMIÈRE

Vice-President

The following spoke: Pierre Jonckheer, on behalf of the Verts/ALE Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Philip Bushill-Matthews, Robert Goebbels, Philippe A.R. Herzog, Theodorus J.J. Bouwman, William Abitbol, Rodi Kratsa-Tsagaropoulou, Claude Moraes, Regina Bastos, Manuel António dos Santos, Manuel Pérez Álvarez, Giorgos Katiforis, Othmar Karas and Stavros Dimas.

The debate closed.

Vote: *Items 7.16 and 7.28*

(The sitting was suspended at 10.50 pending voting time and resumed at 11.05.)

Thursday 22 April 2004

IN THE CHAIR: David W. MARTIN

Vice-President

5. Official welcome

On behalf of Parliament, the President welcomed a delegation from the Australian Parliament who had taken their seats in the official gallery.

6. Disqualification from office of Michel Raymond

The President announced that the Council, by letter of 20 April 2004, had informed Parliament that the modifications referred to in Articles 1 and 2 of the Council Decision of 25 June and 23 September 2002 amending the Act concerning the election of representatives to the European Parliament by direct universal suffrage came into effect on 1 April 2004.

The decree of the French Prime Minister of 25 November 2003 ordering the disqualification from office of Michel Raymond thus became fully effective as of that date.

In accordance with the opinion of the JURI Committee of 17 March 2004, Michel Raymond was therefore no longer a Member of Parliament as of 1 April 2004.

7. Voting time

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

Marialiese Flemming spoke.

The following spoke:

- Hans-Gert Poettering, on behalf of the PPE-DE Group, considered that the decision taken the previous day by the President not to allow amendments for the vote on the Johanna L.A. Boogerd-Quaak report (A5-0230/2004) (*Item 10.1 of the previous day's minutes*) was legally untenable and consequently he could not accept the decision. His Group would therefore, by way of protest, not be taking part in the vote on the report. He then referred to the remarks made by Enrique Barón Crespo to the effect that documents had disappeared in the LIBE Committee; he asked that Enrique Barón Crespo explain where he had obtained his information, and in any case that he withdraw what he considered to be offensive remarks concerning Antonio Tajani (the President pointed out that a decision had been taken the previous day by the President and by Parliament concerning voting procedure on that report, and that he intended to abide by that decision);
- Enrique Barón Crespo announced that he had sent a letter to the President, with copies to all the Group Chairmen, to explain the situation regarding the documents that had disappeared in the LIBE Committee, but which were subsequently found again at the beginning of the meeting. He also spoke on his remarks concerning Antonio Tajani which, he said, had been misinterpreted;
- Guido Podestà and Jorge Salvador Hernández Mollar (Chairman of the LIBE Committee) made personal statements in response to the previous speaker;
- Gerardo Galeote Quecedo asked that the remarks in question be checked in the verbatim report of proceedings;
- Cristiana Muscardini, on behalf of the UEN Group, announced that her Group would also not be taking part in the vote;
- Francis Wurtz, on behalf of the GUE/NGL Group, proposed, given that the PPE-DE and UEN Groups had announced that they would not take part in the vote, that the motion for a resolution be put to a single vote;

Thursday 22 April 2004

- José Ribeiro e Castro, on behalf of the UEN Group, recalled that he had asked the previous day for the report to be referred back to committee (the President informed him that he should submit this request at the beginning of the vote);
- Marco Pannella who suggested President Pat Cox should take over the Chair (the President, noting that Pat Cox was in the Chamber, asked whether he wished to take the floor);
- Pat Cox (President) spoke on the decision taken the previous day and the procedure followed, which he recommended the Chair to abide by; concerning the disappearance of documents, he added that he had instructed the services of Parliament to investigate the matter, and was fully satisfied with the outcome; he recommended to the House to put an end to the matter.

7.1. Beekeeping * (Rule 110a) (vote)

Report on the proposal for a Council regulation on actions in the field of beekeeping [COM(2004) 30 — C5-0052/2004 — 2004/0003(CNS)] — Committee on Agriculture and Rural Development.

Rapporteur: Astrid Lulling (A5-0232/2004)

(Simple majority)

(Voting record: Annex I, Item 1)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Astrid Lulling (rapporteur) made a statement pursuant to Rule 110a(4).

Adopted by single vote (P5_TA(2004)0351)

7.2. Proposal for a Council Decision establishing the Visa Information System (VIS) * (Rule 110a) (vote final)

Report on the proposal for a Council Decision establishing the Visa Information Service (VIS) [COM(2004) 99 — C5-0098/2004 — 2004/0029(CNS)] — Committee on Civil Liberties, Justice and Home Affairs.

Rapporteur: Carlos Coelho (A5-0262/2004)

(Simple majority)

(Voting record: Annex I, Item 2)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2004)0352)

7.3. Privileges and immunities of Mr Bossi, a former Member of the European Parliament (Rule 110a) (vote)

Report on the request from Mr Bossi, a former Member of the European Parliament, to defend his privileges and immunities [2003/2171(IMM)] — Committee on Legal Affairs and the Internal Market.

Rapporteur: Kurt Lechner (A5-0281/2004)

(Simple majority)

(Voting record: Annex I, Item 3)

PROPOSAL FOR A DECISION

Adopted by single vote (P5_TA(2004)0353)

Thursday 22 April 2004

7.4. Privileges and immunities of Mr Bossi, a former Member of the European Parliament (second request) (Rule 110a) (vote)

Report on the request from Mr Bossi, a former Member of the European Parliament, to defend his privileges and immunities [2003/2172(IMM)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Kurt Lechner (A5-0282/2004)

(Simple majority)

(Voting record: Annex I, Item 4)

PROPOSAL FOR A DECISION

Adopted by single vote (P5_TA(2004)0354)

7.5. Development of the Community's railways *III (vote)**

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council directive 91/440/EEC on the development of the Community's railways [PE-CONS 3641/2004 – C5-0156/2004 – 2002/0025(COD)]- Parliament's delegation to the Conciliation Committee.

Rapporteur: Georg Jarzembowski Georg Jarzembowski (A5-0242/2004)

(Simple majority for approval)

(Voting record: Annex I, Item 5)

JOINT TEXT

Adopted (P5_TA(2004)0355)

7.6. Railway safety *III (vote)**

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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) [PE-CONS 3638/2004 – C5-0153/2004 – 2002/0022(COD)] – Parliament's delegation to the Conciliation Committee.

Rapporteur: Dirk Sterckx (A5-0245/2004)

(Simple majority for approval)

(Voting record: Annex I, Item 6)

JOINT TEXT

Adopted (P5_TA(2004)0356)

7.7. Interoperability of the trans-European rail system *III (vote)**

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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 [PE-CONS 3639/2004 – C5-0154/2004 – 2002/0023(COD)] – Parliament's delegation to the Conciliation Committee.

Rapporteur: Sylviane H. Ainardi (A5-0243/2004)

(Simple majority for approval)

(Voting record: Annex I, Item 7)

JOINT TEXT

Adopted (P5_TA(2004)0357)

Thursday 22 April 2004

7.8. European Railway Agency *III (vote)**

Report on the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council establishing a European Railway Agency ('Agency Regulation') [PE-CONS 3640/2004 – C5-0155/2004 – 2002/0024(COD)] – Parliament's delegation to the Conciliation Committee.

Rapporteur: Gilles Savary (A5-0244/2004)

(Simple majority for approval)

(Voting record: Annex I, Item 8)

JOINT TEXT

Adopted (P5_TA(2004)0358)

7.9. Amending budget No 6/2004 (Rule 110a) (vote)

Report on draft amending budget No 6/2004 [2004/2026(BUD)] – Committee on Budgets.

Rapporteur: Jan Mulder (A5-0259/2004)

(Qualified majority)

(Voting record: Annex I, Item 9)

MOTION FOR A RESOLUTION

Adopted by single vote (P5_TA(2004)0359)

7.10. Democracy, rule of law, human rights and fundamental freedoms in third countries *I (vote)**

Report on the proposal for a regulation of the European Parliament and the Council amending Regulation(EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms [COM(2003) 639 – C5-0507/2003 – 2003/0250(COD)] – Committee on Development and Cooperation.

Rapporteur: Fernando Fernández Martín (A5-0279/2004)

(Simple majority)

(Voting record: Annex I, Item 10)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0360)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0360)

The following spoke:

– The rapporteur, in agreement with the PSE Group, recommended rejection of amendment 4.

Thursday 22 April 2004

7.11. 'European Capital of Culture' event for the years 2005 to 2019 *I (vote)**

Report Report on the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 [COM(2003) 700 – C5-0548/2003 – 2003/0274(COD)] – Committee on Culture, Youth, Education, the Media and Sport.

Rapporteur: Michel Rocard (A5-0148/2004)

(Simple majority)

(Voting record: Annex I, Item 11)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0361)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0361)

7.12. Transparency of qualifications and competences (Europass) *I (vote)**

Report on the proposal for a decision of the European Parliament and of the Council on a single framework for the transparency of qualifications and competences (Europass) [COM(2003) 796 – C5-0648/2003 – 2003/0307(COD)] – Committee on Culture, Youth, Education, the Media and Sport.

Rapporteur: Sabine Zissener (A5-0247/2004)

(Simple majority)

(Voting record: Annex I, Item 12)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0362)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0362)

7.13. Programme for enterprise and entrepreneurship *I (vote)**

Report on the proposal for a decision of the European Parliament and of the Council amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) [COM(2003) 758 – C5-0628/2003 – 2003/0292(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Paul Rübig (A5-0237/2004)

(Simple majority)

(Voting record: Annex I, Item 13)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0363)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0363)

The following spoke:

- The rapporteur spoke before the vote, in particular to welcome in the gallery a delegation from the Austrian Federal Council.

Thursday 22 April 2004

7.14. More accessible digital content *I (vote)**

Report on the proposal for a decision of the European Parliament and of the Council establishing a multi-annual Community programme to make digital content in Europe more accessible, usable and exploitable [COM(2004) 96 — C5-0082/2004 — 2004/0025(COD)] — Committee on Industry, External Trade, Research and Energy.

Rapporteur: W.G. van Velzen (A5-0235/2004)

(Simple majority)

(Voting record: Annex I, Item 14)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0364)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0364)

7.15. EC-Pakistan Cooperation Agreement * (vote)

Report on the proposal for a Council decision on the signing of the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan [8108/1999 — COM(1998) 357 — C5-0659/2001 — 1998/0199(CNS)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Elmar Brok (A5-0275/2004)

(Simple majority)

(Voting record: Annex I, Item 15)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0365)

7.16. Guidelines for employment policy in the Member States * (vote)

Report on the proposal for a Council decision on guidelines for the employment policies of the Member States [COM(2004) 239 — C5-0188/2004 — 2004/0082(CNS)] — Committee on Employment and Social Affairs.

Rapporteur: Marie-Thérèse Hermange (A5-0277/2004)

(Simple majority)

(Voting record: Annex I, Item 16)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2004)0366)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2004)0366)

The following spoke:

— Philip Bushill-Matthews, on behalf of the PPE-DE Group, moved an oral amendment to amendment 1.

Thursday 22 April 2004

7.17. Policy challenges and budgetary means of the enlarged Union 2007-2013

(vote)

Report on the communication from the Commission to the Council and to the European Parliament on 'Building our common future – policy challenges and budgetary means of the enlarged Union 2007-2013' [COM(2004) 101 – C5-0089/2004 – 2004/2006(INI)] – Committee on Budgets.

Rapporteur: Terence Wynn (A5-0268/2004)

(Simple majority)

(Voting record: Annex I, Item 17)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0367)

7.18. Third report on economic and social cohesion (vote)

Report on the Third report on economic and social cohesion [COM(2004) 107 – C5-0092/2004 – 2004/2005(INI)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Konstantinos Hatzidakis (A5-0272/2004)

(Simple majority)

(Voting record: Annex I, Item 18)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0368)

7.19. Commission's annual policy strategy for 2005 (vote)

Report on the 2005 budget: the Commission's annual policy strategy [2004/2001(BUD)] – Committee on Budgets.

Rapporteur: Salvador Garriga Polledo (A5-0269/2004)

(Simple majority)

(Voting record: Annex I, Item 19)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0369)

7.20. Parliament's preliminary estimates for 2005 (vote)

Report on the 2005 budget: Parliament's estimates of revenue and expenditure [2004/2007(BUD)] – Committee on Budgets.

Rapporteur: Wilfried Kuckelkorn (A5-0236/2004)

(Simple majority)

(Voting record: Annex I, Item 20)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0370)

The following spoke:

– Richard A. Balfe, on behalf of the PPE-DE Group, recommended adoption of amendment 1.

Thursday 22 April 2004

7.21. EIB annual report (vote)

Report on the follow-up to the European Investment Bank's annual report [2004/2012(INI)] – Committee on Economic and Monetary Affairs.

Rapporteur: Christa Randzio-Plath (A5-0258/2004)

(Simple majority)

(Voting record: Annex I, Item 21)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0371)

7.22. Eurostat (vote)

Motions for resolution B5-0218/2004, B5-0219/2004, B5-0220/2004, B5-0222/2004, B5-0223/2004 and B5-0225/2004

(Simple majority)

(Voting record: Annex I, Item 22)

MOTION FOR A RESOLUTION RC-B5-0218/2004 (replacing motions for resolution) B5-0218/2004, B5-0219/2004, B5-0220/2004, B5-0222/2004, B5-0223/2004 and B5-0225/2004

tabled by the following Members:

- María Antonia Avilés Perea, on behalf of the PPE-DE Group,
- Helmut Kuhne, on behalf of the PSE Group,
- Jan Mulder and Ole B. Sørensen, on behalf of the ELDR Group,
- Bart Staes, on behalf of the Verts/ALE Group,
- Freddy Blak and Jonas Sjöstedt, on behalf of the GUE/NGL Group,
- Mogens N.J. Camre, on behalf of the UEN Group,
- Jens-Peter Bonde, on behalf of the EDD Group,
- Gianfranco Dell'Alba

Adopted (P5_TA(2004)0372)

7.23. Freedom of expression and information (vote)

Report on a possible breach of expression and information rights in the EU and Italy, Article 11(2), Charter of Fundamental Rights [2003/2237(INI)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Johanna L.A. Boogerd-Quaak (A5-0230/2004)

(Simple majority)

(Voting record: Annex I, Item 23)

Giacomo Santini considered that the procedure adopted for the vote on this report breached the Rules of Procedure; he also supported the request for referral back to Committee to which José Ribeiro e Castro had referred at the beginning of voting time.

The President put to the House the request for referral submitted pursuant to Rule 144(1) by José Ribeiro e Castro, on behalf of the UEN Group.

The following spoke on the request: José Ribeiro e Castro, as the mover, Monica Frassoni, on behalf of the Verts/ALE Group, and Bruno Gollnisch, Non-attached Member.

Parliament rejected the request by EV (214 for, 259 against, 1 abstention).

The following spoke: Francis Wurtz, on behalf of the GUE/NGL Group, who withdrew the suggestion he had made at the beginning of voting time to take a block vote on the motion for a resolution, and Richard A. Balfé who pointed out that the British members of the PPE-DE were present but would not take part in the vote.

Thursday 22 April 2004

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0373)

The following spoke:

- Cristiana Muscardini and Francesco Enrico Speroni on the block vote on parts of the motion for a resolution;
- Giacomo Santini on the inadmissibility of personal names which made certain parts of the text meaningless.

7.24. Situation in Pakistan (vote)

Motion for a resolution B5-0187/2004/rev.
(Simple majority)
(Voting record: Annex I, Item 24)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0374)

The following spoke:

- John Walls Cushnahan stated the position of the AFET Committee.

7.25. Transatlantic relations (vote)

Motion for a resolution B5-0185/2004
(Simple majority)
(Voting record: Annex I, Item 25)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0375)

The following spoke:

- Johannes (Hannes) Swoboda moved an oral amendment to amendment 6.
- Erika Mann moved an oral amendment to paragraph 13 to which Elmar Brok, Chairman of the AFET Committee, agreed, and an oral amendment to paragraph 15 (Elmar Brok then proposed rejecting paragraph 15 as a whole and adopting amendment 22, to which Erika Mann agreed).

7.26. Human rights in 2003 and EU policy (vote)

Report on the annual report on human rights in the world in 2003 and the EU's human rights policy [2003/2005(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.
Rapporteur: Véronique De Keyser (A5-0270/2004)
(Simple majority)
(Voting record: Annex I, Item 26)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0376)

The following spoke:

- Gianfranco Dell'Alba, with the rapporteur's agreement, moved an oral amendment to paragraph 4.

Thursday 22 April 2004

7.27. Outcome of the trial against Leyla Zana and others in Ankara (vote)

Motions for resolution B5-0193/2004, B5-0196/2004, B5-0197/2004, B5-0198/2004 and B5-0199/2004
(Simple majority)
(Voting record: Annex I, Item 27)

MOTION FOR A RESOLUTION RC-B5-0193/2004 (replacing motions for resolution B5-0193/2004, B5-0196/2004, B5-0197/2004, B5-0198/2004 and B5-0199/2004)

tabled by the following Members:

- Richard A. Balfe and Arie M. Oostlander, on behalf of the PPE-DE Group,
- Johannes (Hannes) Swoboda and Ozan Ceyhun, on behalf of the PSE Group,
- Andrew Nicholas Duff, on behalf of the ELDR Group,
- Joost Lagendijk, Daniel Marc Cohn-Bendit and Nelly Maes, on behalf of the Verts/ALE Group,
- Luigi Vinci and Feleknas Uca, on behalf of the GUE/NGL Group

Adopted (P5_TA(2004)0377)

7.28. Broad guidelines of economic policy (vote)

Report on the Commission recommendation on the 2004 update of the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) [COM(2004) 238 — C5-0183/2004 — 2004/2020(INI)] — Committee on Economic and Monetary Affairs.
Rapporteur: Christa Randzio-Plath (A5-0280/2004).
(Simple majority)
(Voting record: Annex I, Item 28)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0378)

The following spoke:

- Robert Goebbels moved an oral amendment to modification 2.

8. 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:

Eurostat — RC-B5-0218/2004

- Theresa Villiers

Report Kuckelkorn — A5-0236/2004

- Aguiriano Nalda

Thursday 22 April 2004

9. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Jarzembowski — A5-0242/2004

- joint text
for: Pervenche Berès
against: Robert Goebbels

Report Rocard — A5-0148/2004

- amendment 1, second part
for: Barbara Weiler
- amended proposal
for: Hans-Peter Martin
- legislative resolution
for: Hans-Peter Martin

Report Wynn — A5-0268/2004

- paragraph 7
for: Richard Corbett, Marie-Françoise Garaud
- amendment 17
for: Marie-Françoise Garaud, Paul Rübig, Françoise de Veyrinas
- paragraph 10
for: Marie-Françoise Garaud
- amendment 10
for: Marie-Françoise Garaud, Marie-Thérèse Hermange
against: María del Pilar Ayuso González
- amendment 11
for: Marie-Françoise Garaud
- amendment 18
for: Marie-Françoise Garaud, Paul Rübig, Agnes Schierhuber
- amendment 16
against: Alexander Radwan
- amendment 13
for: Béatrice Patrie, Marie-Thérèse Hermange
- amendment 5
for: Paul Rübig, Ingo Friedrich
against: José Ignacio Salafranca Sánchez-Neyra, Konstantinos Hatzidakis, José Manuel García-Margallo y Marfil
- amendment 19
against: Marie-Thérèse Hermange
- amendment 21
for: Linda McAvan
- amendment 22
for: Isabelle Caullery, Jean-Charles Marchiani
- paragraph 68
against: Maj Britt Theorin, Jan Andersson

Report Hatzidakis — A5-0272/2004

- amendment 37
against: Jillian Evans
abstention: Sérgio Ribeiro

Thursday 22 April 2004

Report Garriga Polledo — A5-0269/2004

- amendment 1
against: Eryl Margaret McNally
- paragraph 21
for: Caroline Lucas, Elisabeth Schroedter
- amendment 5
for: Sami Nair
- paragraph 29
against: Isabelle Caullery, Jean-Charles Marchiani, Georges Berthu, Dominique F.C. Souchet

Report Randzio-Plath — A5-0258/2004

- amendment 8
for: Claude Turmes, Hans-Peter Martin
- amendment 1
for: Eurig Wyn

Motion for a resolution: Eurostat — RC-B5-0218/2004

- amendment 3
against: Glenys Kinnock
- resolution (as a whole)
against: Inger Schörling, Antonio Di Pietro, Giorgio Calò

Report Boogerd-Quaak — A5-0230/2004

- paragraph 2
for: Elspeth Attwooll
- paragraph 5
for: Carlos Carnero González
- paragraph 10
for: Elisabeth Schroedter
- paragraph 21
for: Carlos Carnero González, Paolo Costa
- paragraph 25
for: Emmanouil Mastorakis
- paragraphs 26-29 (block vote)
for: Olga Zrihen
abstentions: Armonia Bordes, Chantal Cauquil
- paragraphs 45-52 (block vote)
abstentions: Armonia Bordes, Chantal Cauquil, Arlette Laguiller
- paragraph 53
for: Inger Schörling
against: Peter William Skinner, Claude Turmes
- paragraph 76
for: Claude Turmes
- paragraph 80
for: Claude Turmes
abstention: Dana Rosemary Scallon
- paragraph 81
for: Claude Turmes
- paragraph 82
for: Claude Turmes

Thursday 22 April 2004

Motion for a resolution: Transatlantic relations — B5-0185/2004

- amendment 6
for: Lone Dybkjær, María Sornosa Martínez
against: Richard Corbett, Gary Titley
- amendment 10
for: Lone Dybkjær
- paragraph 13
against: Nikolaos Chountis, Marie-Thérèse Hermange
- paragraph 15
against: Marie-Thérèse Hermange, Pervenche Berès
- amendment 20
for: Bart Staes, Hiltrud Breyer, Marie-Hélène Gillig, Pervenche Berès
- paragraph 18
for: Othmar Karas
against: Eurig Wyn
- paragraph 19
for: Othmar Karas, Cristiana Muscardini, Roberta Angelilli
against: Eurig Wyn
- paragraph 20
for: Othmar Karas, Cristiana Muscardini, Roberta Angelilli

Report De Keyser — A5-0270/2004

- amendment 6
against: Anne Ferreira
- amendment 7
for: Martin Kastler
against: Anne Ferreira, Marie-Thérèse Hermange, Armonia Bordes, Christine De Veyrac
- amendment 8
for: Martin Kastler, Anne-Marie Schaffner, Françoise de Veyrinas, Dominique Vlasto, Dana Rosemary Scallon
against: Marie-Thérèse Hermange, Christine De Veyrac
- amendment 9
for: Dominique Vlasto, Françoise de Veyrinas, Anne-Marie Schaffner, Dana Rosemary Scallon
against: Marie-Thérèse Hermange, Christine De Veyrac
- amendment 10
for: Dominique Vlasto, Françoise de Veyrinas, Anne-Marie Schaffner, Dana Rosemary Scallon
against: Marie-Thérèse Hermange, Christine De Veyrac
- amendment 11
for: Dana Rosemary Scallon
against: Marie-Thérèse Hermange, Christine De Veyrac
- amendment 12
for: Dana Rosemary Scallon
against: Marie-Thérèse Hermange, Christine De Veyrac
- amendment 13
for: Dana Rosemary Scallon
against: Marie-Thérèse Hermange, Christine De Veyrac

Report Randzio-Plath — A5-0280/2004

- amendment 11
for: Nelly Maes, Hélène Flautre, Gérard Onesta, Marie Anne Isler Béguin
- amendments 1 and 4 (identical amendments)
for: Reino Paasilinna

Thursday 22 April 2004

Freddy Blak did not take part in most of the votes.

Arlette Laguiller, Armonia Bordes and Chantal Cauquil did not take part in the votes on the following A5-0268/2004, A5-0269/2004 (except amendment 15), A5-0236/2004, RC-B5-0218/2004 (amendment 3), B5-0187/2004 and B5-0185/2004 (amendment 20).

Mathieu J.H. Grosch, Gérard M.J. Deprez, the PPE-DE Group and the UEN Group did not take part in the vote on report A5-0230/2004.

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Anna Terrón i Cusí referred to the disappearance of documents in the LIBE Committee and supported the remarks made by Enrique Barón Crespo.

(The sitting, suspended at 13.30, resumed at 15.00.)

IN THE CHAIR: Alonso José PUERTA

Vice-President

10. Approval of Minutes of previous sitting

The Minutes of the previous sitting were approved.

11. Women in South-East Europe (debate)

Report Women in South-East Europe [2003/2128(INI)] — Committee on Women's Rights and Equal Opportunities.

Rapporteur: Anna Karamanou (A5-0182/2004)

Anna Karamanou introduced the report.

Poul Nielson (Member of the Commission) spoke.

The following spoke: Rodi Kratsa-Tsagaropoulou, on behalf of the PPE-DE Group, María Elena Valenciano Martínez-Orozco, on behalf of the PSE Group, Anne André-Léonard, on behalf of the ELDR Group, and Patsy Sørensen, on behalf of the Verts/ALE Group.

The debate closed.

Vote: *Item 16.4.*

12. Review of Ottawa Treaty on anti-personnel mines (statement followed by debate)

Commission statement: Review of Ottawa Treaty on anti-personnel mines

Poul Nielson (Member of the Commission) made the statement.

The following spoke: Charles Tannock, on behalf of the PPE-DE Group, Ioannis Soulidakis, on behalf of the PSE Group, Anne André-Léonard, on behalf of the ELDR Group, Nelly Maes, on behalf of the Verts/ALE Group, Bernd Posselt and Poul Nielson.

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

- Philippe Morillon, on behalf of the PPE-DE Group, on the Preparation of the First Review Conference in Nairobi of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa 'Mine Ban Treaty') (B5-0215/2004)

Thursday 22 April 2004

- Bob van den Bos and Johan Van Hecke, on behalf of the ELDR Group, on anti-personnel landmines and the preparation of the Nairobi Review Conference of the Ottawa Global Ban on Landmines (B5-0216/2004),
- Luisa Morgantini and Yasmine Boudjenah, on behalf of the GUE/NGL Group, on preparations by the European Union for the Review Conference on the Ottawa Treaty on anti-personnel mines (B5-0217/2004),
- Nelly Maes and Matti Wuori, on behalf of the Verts/ALE Group, on the Preparation of the First Review Conference in Nairobi of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa 'Mine Ban Treaty') (B5-0221/2004),
- Jan Marinus Wiersma and Giovanni Claudio Fava, on behalf of the PSE Group, on the Preparation of the First Review Conference in Nairobi of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa 'Mine Ban Treaty') (B5-0224/2004).

The debate closed.

Vote: *Item 16.5.*

DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

(For titles and authors of motions for resolutions, see Minutes of 20 April 2004, Item 14).

13. Cuba (debate)

Motions for resolution B5-0192/2004, B5-0201/2004, B5-0204/2004, B5-0207/2004, B5-0208/2004, B5-0212/2004 and B5-0214/2004

Concepció Ferrer and Anne André-Léonard (deputising for the authors) introduced motions for resolutions.

Patsy Sørensen spoke.

Bastiaan Belder, Miguel Angel Martínez Martínez (deputising for the authors), María Luisa Bergaz Conesa (deputising for the author) and José Ribeiro e Castro introduced motions for resolutions.

IN THE CHAIR: Alejo VIDAL-QUADRAS ROCA

Vice-President

The following spoke: Lennart Sacrédeus, on behalf of the PPE-DE Group, Konstantinos Alyssandrakis, on behalf of the GUE/NGL Group, Bernd Posselt, Poul Nielson (Member of the Commission) and Konstantinos Alyssandrakis, who made a personal statement in response to Bernd Posselt.

The debate closed.

Vote: *Item 16.1.*

14. Sport products for the Olympic Games (debate)

Motions for resolution B5-0191/2004, B5-0200/2004, B5-0202/2004 and B5-0210/2004

Anna Karamanou introduced a motion for a resolution.

Nelly Maes spoke.

Anne André-Léonard (deputising for the author) and Lennart Sacrédeus (deputising for the author) introduced motions for resolutions.

Thursday 22 April 2004

The following spoke: Paul Rübig, on behalf of the PPE-DE Group, and Poul Nielson (Member of the Commission)

The debate closed.

Vote: *Item 15.2.*

15. Nigeria (debate)

Motions for resolutions B5-0194/2004, B5-0203/2004, B5-0205/2004, B5-0206/2004, B5-0209/2004, B5-0211/2004 and B5-0213/2004

Charles Tannock, Nelly Maes, Bastiaan Belder, Anna Karamanou (deputising for the authors) and Anne André-Léonard (deputising for the authors) introduced motions for resolutions.

The following spoke: Bernd Posselt, on behalf of the PPE-DE Group, Paulo Casaca, on behalf of the PSE Group, and Poul Nielson (Member of the Commission)

The debate closed.

Vote: *Item 16.3.*

END OF DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

The following spoke: Paul Rübig, who pointed out that a Member who had not been present in the Chamber at the time of the vote on the Van Hulten report (A5-0218/2004) had made corrections to the vote on that report (the President replied that he would pass on his remarks to the appropriate quarters), Karsten Knolle on the 'snooping' activities of Hans-Peter Martin on Members, Hans-Peter Martin on these remarks and Bernd Posselt who supported the remarks by Paul Rübig and pointed out that the Member in question was Hans-Peter Martin (the President cut him off).

16. Voting time

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

16.1. Cuba (vote)

Motions for resolution B5-0192/2004, B5-0201/2004, B5-0204/2004, B5-0207/2004, B5-0208/2004, B5-0212/2004, B5-0214/2004 and B5-0204/2004

(*Simple majority*)

(*Voting record: Annex I, Item 29*)

MOTION FOR A RESOLUTION RC-B5-0192/2004 (replacing motions for resolution B5-0192/2004, B5-0201/2004, B5-0207/2004 and B5-0214/2004)

tabled by the following Members:

- Concepció Ferrer, José Ignacio Salafranca Sánchez-Neyra, Bernd Posselt and Lennart Sacrédeus, on behalf of the PPE-DE Group,
- Cecilia Malmström and Bob van den Bos, on behalf of the ELDR Group,
- Luís Queiró and José Ribeiro e Castro, on behalf of the UEN Group,
- Bastiaan Belder, on behalf of the EDD Group

Adopted (P5_TA(2004)0379)

(Motions for resolutions B5-0204/2004, B5-0208/2004 and B5-0212/2004 fell.)

Thursday 22 April 2004

16.2. Sport products for the Olympic Games (vote)

Motions for resolution B5-0191/2004, B5-0200/2004, B5-0202/2004 and B5-0210/2004

(Simple majority)

(Voting record: Annex I, Item 30)

MOTION FOR A RESOLUTION RC-B5-0191/2004 (replacing motions for resolution B5-0191/2004, B5-0200/2004, B5-0202/2004 and B5-0210/2004)

tabled by the following Members:

- Bartho Pronk, on behalf of the PPE-DE Group,
- Stephen Hughes, Margrietus J. van den Berg, Marie-Hélène Gillig and Anna Karamanou, on behalf of the PSE Group,
- Anne Elisabet Jensen, on behalf of the ELDR Group,
- Gerhard Schmid, Emmanouil Bakopoulos and Dimitrios Koulourianos, on behalf of the GUE/NGL Group,
- Jean Lambert, Theodorus J.J. Bouwman and Hiltrud Breyer, on behalf of the Verts/ALE Group,
- Brian Crowley, on behalf of the UEN Group

Adopted (P5_TA(2004)0380)

16.3. Nigeria (vote)

Motions for resolution B5-0194/2004, B5-0203/2004, B5-0205/2004, B5-0206/2004, B5-0209/2004, B5-0211/2004 and B5-0213/2004

(Simple majority)

(Voting record: Annex I, Item 31)

MOTION FOR A RESOLUTION RC-B5-0194/2004 (replacing motions for resolution B5-0194/2004, B5-0203/2004, B5-0205/2004, B5-0206/2004, B5-0209/2004, B5-0211/2004 and B5-0213/2004)

tabled by the following Members:

- Charles Tannock, John Alexander Corrie, Lennart Sacrédeus and Bernd Posselt, on behalf of the PPE-DE Group,
- Margrietus J. van den Berg, on behalf of the PSE Group,
- Bob van den Bos, on behalf of the ELDR Group,
- Yasmine Boudjenah, Didier Rod, Marie Anne Isler Béguin and Nelly Maes, on behalf of the Verts/ALE Group,
- Niall Andrews, on behalf of the UEN Group,
- Bastiaan Belder, on behalf of the EDD Group

Adopted (P5_TA(2004)0381)

16.4. Women in South-East Europe (vote)

Report Women in South-East Europe [2003/2128(INI)] — Committee on Women's Rights and Equal Opportunities.

Rapporteur: Anna Karamanou (A5-0182/2004)

(Simple majority)

(Voting record: Annex I, Item 32)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2004)0382)

Thursday 22 April 2004

16.5. Review of Ottawa Treaty on anti-personnel mines (vote)

Motions for resolution B5-0215/2004, B5-0216/2004, B5-0217/2004, B5-0221/2004 and B5-0224/2004
(Simple majority)
(Voting record: Annex I, Item 33)

MOTION FOR A RESOLUTION RC-B5-0215/2004 (replacing motions for resolution B5-0215/2004, B5-0216/2004, B5-0217/2004, B5-0221/2004 and B5-0224/2004)

tabled by the following Members:

- Philippe Morillon, on behalf of the PPE-DE Group,
- Jan Marinus Wiersma and Giovanni Claudio Fava, on behalf of the PSE Group,
- Bob van den Bos and Johan Van Hecke, on behalf of the ELDR Group,
- Nelly Maes and Matti Wuori, on behalf of the Verts/ALE Group,
- Luisa Morgantini and Yasmine Boudjenah, on behalf of the GUE/NGL Group

Adopted (P5_TA(2004)0383)

17. Corrections to votes

Corrections to votes were submitted by the following Members:

Joint motion for a resolution RC-B5-0194/2004 — Nigeria

- resolution (as a whole)
for: Véronique De Keyser, Richard A. Balfe

18. Membership of committees

At the request of the ELDR and GUE/NGL Groups, Parliament ratified the following appointments:

- CULT Committee: Nikolaos Chountis
- Delegation for relations with Israel: Jacqueline Rousseaux

19. Written declarations included in the register (Rule 51)

Number of signatures obtained by the written declarations in the register (Rule 51(3)):

Document No	Author	Signatures
4/2004	Hiltrud Breyer, Alexander de Roo, Marie Anne Isler Béguin, Paul A.A.J.G. Lannoye and Caroline Lucas	58
5/2004	Claude Moraes, Stephen Hughes, Imelda Mary Read, Marie-Hélène Gillig and Alejandro Cercas	59
6/2004	Piia-Noora Kauppi, Sarah Ludford, Johannes (Hannes) Swoboda and Nelly Maes	68
7/2004	Ward Beysen	7
8/2004	Philip Claeys, Koenraad Dillen, Bruno Gollnisch and Mario Borghezio	13
9/2004	Marie Anne Isler Béguin and Jean Lambert	28
10/2004	Mario Borghezio	6
11/2004	Marie-Thérèse Hermange, Marie-Hélène Gillig, Joseph Daul, Giorgio Lisi and Georges Garot	159
12/2004	Thierry Cornillet, Monica Frassoni, Jo Leinen, Mariotto Segni and Diana Wallis	38

Thursday 22 April 2004

Document No	Author	Signatures
13/2004	Gary Titley, Richard Corbett, Martin Schulz and Olivier Duhamel	45
14/2004	Robert J.E. Evans, Alima Boumediene-Thiery, Neena Gill and Olle Schmidt	41
15/2004	Philip Bushill-Matthews, Bashir Khanbhai and Nirj Deva	22
17/2004	Glenys Kinnock, Michael Gahler, Johan Van Hecke, Nelly Maes and Pernille Frahm	109
18/2004	Anne E.M. Van Lancker, Jan Dhaene, Saïd El Khadraoui and Nelly Maes	37
19/2004	Sebastiano (Nello) Musumeci	8
20/2004	Marie Anne Isler Béguin	15
21/2004	Jean-Louis Bernié, Yves Butel, Alain Esclopé, Véronique Mathieu and Jean Saint-Josse	57
22/2004	Dana Rosemary Scallan, Hiltrud Breyer and Johannes (Hans) Blokland	50
23/2004	Marie Anne Isler Béguin	10
24/2004	Jean-Thomas Nordmann, Glyn Ford and Lennart Sacrédeus	57
25/2004	Caroline Lucas, Jean Lambert and Paul A.A.J.G. Lannoye	23
26/2004	Marie Anne Isler Béguin, Jan Marinus Wiersma, Hans Modrow, Charles Tannock and Samuli Pohjamo	37
27/2004	Marie Anne Isler Béguin	16
28/2004	Hans-Gert Poettering, Enrique Barón Crespo, Graham R. Watson and Charles Pasqua	169
29/2004	Miquel Mayol i Raynal, Ian Stewart Hudghton, Nelly Maes, Camilo Nogueira Román and Josu Ortuondo Larrea	14
30/2004	John Bowis, Jillian Evans, Imelda Mary Read, Catherine Stihler and Diana Wallis	35
31/2004	Caroline Lucas, Paul A.A.J.G. Lannoye, Inger Schörling and Patricia McKenna	24
32/2004	Jean Lambert, Caroline Lucas, Matti Wuori and Alima Boumediene-Thiery	15
33/2004	Carmen Cerdeira Morterero	32

20. 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.

21. Dates for next sittings

The next sittings would be held from 3 to 5 May 2004.

22. Adjournment of session

The session of the European Parliament was adjourned.

The sitting closed at 17.15.

Julian Priestley
Secretary-General

Pat Cox
President

Thursday 22 April 2004

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Aguiriano Nalda, Nuala Ahern, Ainardi, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Averoff, Avilés Perea, Ayuso González, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Belder, Berend, Berès, van den Berg, Bergaz Conesa, Berger, Bernié, Berthu, Beysen, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Bonino, Boogerd-Quaak, Bordes, Borghezio, van den Bos, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brok, Brunetta, Buitenweg, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cardoso, Carlotti, Carnero González, Casaca, Cashman, Caudron, Caullery, Cauquil, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Chountis, Claeys, Clegg, Coelho, Cohn-Bendit, Corbett, Corbey, Corrie, Cossutta, Paolo Costa, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Dehousse, De Keyser, Dell'Alba, Dell'Utri, Deprez, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Di Pietro, Dover, Dührkop Dührkop, Duff, Duhamel, Duin, Dupuis, Duthu, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Esclopé, Jillian Evans, Robert J.E. Evans, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Flesch, Florenz, Ford, Formentini, Foster, Fourtou, Frahm, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garot, Garriga Polledo, Gawronski, Gebhardt, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hannan, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Honeyball, Hortefeux, Howitt, Hughes, van Hulten, Hyland, Iivari, Ilgenfritz, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Kaldi, Karamanou, Karas, Kastler, Katiforis, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klač, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Liese, Linkohr, Lisi, Lucas, Lulling, Lund, Maat, Maaten, McAvan, McCarthy, McCartin, McMillan-Scott, McNally, Maes, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marinos, Markov, Marques, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Monsonís Domingo, Montfort, Moraes, Morillon, Müller, Mulder, Muscardini, Musotto, Mussa, Musumeci, Myller, Naïr, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nisticò, Nogueira Román, Nordmann, Obiols i Germà, Ojeda Sanz, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, O'Toole, Paasilinna, Paciotti, Pack, Pannella, Papayannakis, Parish, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Pirker, Piscarreta, Pittella, Plooi-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Poos, Posselt, Proccacci, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Read, Ribeiro, Ribeiro e Castro, Riis-Jørgensen, Rocard, Rod, Roth-Behrendt, Rothe, Roure, Rousseaux, Rovsing, Rübig, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sandbæk, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Schroedter, Schulz, Schwaiger, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Soares, Sørensen, Sommer, Soriano Gil, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stenmarck, Stenzel, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sudre, Suominen, Swiebel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thyssen, Tittley, Turmes, Twinn, Uca, Vachetta, Väyrynen, Vairinhos, Valenciano Martínez-Orozco, Vallvé, Van Lancker, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener, Zorba, Zrihen

Observers:

Azzopardi, Bagó, Bastys, Bauer, Biela, Chronowski, Ciemiński, Cybulski, Drzęzła, Ékes, Fazakas, Filippek, Gadzinowski, Gałazewski, Golde, Genowefa Grabowska, Gruber, Grzebisz-Nowicka, Gurmai, Hegyi, Ilves, Kelemen, Kļaviņš, Klukowski, Kósáné Kovács, Kowalska, Kriščiūnas, Daniel Kroupa, Kubica, Kuzmickas, Kvietauskas, Liberadzki, Lisak, Lydeka, Łyżwiński, Maldeikis, Őry, Pieniążek, Plokšto, Podgórski, Pospíšil, Pusz, Smorawinski, Szczygło, Tabajdi, Tomczak, Vaculík, Vadai, Valys, Vastagh, Vella, Vésaité, Widuch, Wikiński, Wittbrodt, Żenkiewicz

Thursday 22 April 2004

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. Beekeeping **Report: LULLING (A5-0232/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote	RCV	+	419, 37, 3

Amendment 14 did not concern all language versions and was therefore not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

PPE-DE: final vote

2. Proposal for a Council Decision establishing the Visa Information System (VIS) **Report: COELHO (A5-0262/2004)*

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

Thursday 22 April 2004

3. Privileges and immunities of Mr Bossi, a former Member of the European Parliament *

Report: LECHNER (A5-0281/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote		+	

4. Privileges and immunities of Mr Bossi, a former Member of the European Parliament *

Report: LECHNER (A5-0282/2004)

Subject	RCV, etc.	Vote	RCV/EV – remarks
single vote	EV	-	215, 243, 9

5. Development of the Community's railways ***III

Report: JARZEMBOWSKI (A5-0242/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
vote: joint text			RCV	+	387, 78, 6

Requests for roll-call votes

ELDR: final vote

GUE/NGL: final vote

6 Safety on the Community's railways ***III

Report: STERCKX (A5-0245/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
vote: joint text			RCV	+	406, 51, 6

Requests for roll-call votes

ELDR: final vote

7. Interoperability of the trans-European rail system ***III

Report: AINARDI (A5-0243/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
vote: joint text				+	

Thursday 22 April 2004

8. European Railway Agency *III**

Report: SAVARY (A5-0244/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
vote: joint text				+	

9. Amending budget No 6/2004

Report: MULDER (A5-0259/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
motion for a resolution					
vote: resolution (as a whole)				+	

Amendments 1 to 5 had been withdrawn.

10. Democracy, rule of law, human rights and fundamental freedoms in third countries *I**

Report: FERNANDEZ MARTIN (A5-0279/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-3 (*)	committee		+	
amendments by committee responsible – separate votes	4 (*)	committee	sep	-	
vote: amended proposal				+	
vote: legislative resolution				+	

(*) These amendments include the text of the amendments contained in the opinion of the Committee on Budgets.

Requests for separate vote

PPE-DE: am 4

11. ‘European Capital of Culture’ event for the years 2005 to 2019 *I**

Report: ROCARD (A5-0148/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – separate votes	1		split		
			1/RCV	+	440, 15, 11
			2/RCV	+	281, 171, 9
	3	committee	sep	+	
	4	committee	EV	+	291, 161, 9
	5	committee	sep	+	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
art 2, § 1	6	Verts/ALE	split		
			1/RCV	-	159, 293, 14
			2/RCV	-	41, 392, 33
	7	Verts/ALE		+	
	2	committee		↓	
art 2, after § 2	8	Verts/ALE	RCV	-	203, 260, 9
art 4	9	Verts/ALE		-	
annex 1	10	Verts/ALE	RCV	-	194, 274, 8
vote: amended proposal			RCV	+	309, 132, 35
vote: legislative resolution			RCV	+	310, 132, 30

Requests for roll-call votes

PPE-DE: amended proposal and final vote

Verts/ALE: ams 1, 6, 8, 10, final vote

Requests for separate vote

PSE: ams 3, 5

Requests for split votes

PSE

am 6

1st part: up to 'is due to begin'

2nd part: remainder

Verts/ALE

am 1

1st part: up to 'European Community funding'

2nd part: remainder

12. Transparency of qualifications and competences (Europass) *I**

Report: ZISSENER (A5-0247/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
amendments by committee responsible – block vote	1-14	committee		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Thursday 22 April 2004

13. Programme for enterprise and entrepreneurship *I**

Report: RÜBIG (A5-0237/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-5	committee		+	
vote: amended proposal				+	
vote: legislative resolution				+	

14. More accessible digital content *I**

Report: VAN VELZEN (A5-0235/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-16	committee		+	
vote: amended proposal				+	
vote: legislative resolution				+	

15. EC-Pakistan Cooperation Agreement *

Report: BROK (A5-0275/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
after § 1	1	EDD		+	
vote: draft legislative resolution (as a whole)				+	

16. Guidelines for the employment policies in the Member States *

Report: HERMANGE (A5-0277/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-4	committee		+	
rec	5	PPE-DE		+	
	6	PPE-DE	split		
			1	+	
			2	+	
	7	PPE-DE		+	
	8	PPE-DE		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Thursday 22 April 2004

Requests for split votes

ELDR

am 6

1st part: up to 'and social reconversion'

2nd part: remainder

Other information

Mr Bushill-Matthews, on behalf of the PPE-DE Group, proposed an oral amendment to add the words 'and also the employment/continuance in employment of older people' to amendment 1.

17. Policy challenges and budgetary means of the enlarged Union 2007-2013

Report: WYNN (A5-0268/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 2	9	GUE/NGL	RCV	-	43, 414, 8
§ 7		original text	RCV	+	407, 45, 11
§ 8	17	BRADBOURN et al	RCV	-	82, 375, 7
§ 10		original text	RCV	+	384, 74, 6
§ 11	10	GUE/NGL	RCV	-	92, 359, 18
after § 12	11	GUE/NGL	RCV	-	49, 391, 31
§ 13	4	PPE-DE	split		
			1	+	
			2	+	
after § 16	18	BRADBOURN et al	RCV	-	82, 381, 4
§ 17		original text	RCV	+	397, 58, 9
§ 19	12	GUE/NGL		-	
	§	original text	split		
			1/EV	-	221, 234, 6
			2	↓	
after § 19	15	EDD		-	
	16	EDD	RCV	-	30, 431, 4
after § 24	1	Verts/ALE	EV	+	249, 208, 8
after § 29	13	BERES et al	RCV	-	60, 391, 12
§ 30	5	BÔGE et al	RCV	+	313, 139, 10
	§	original text		↓	
after § 32	2	Verts/ALE		-	
§ 34		original text	sep	+	
§ 35		original text	sep	+	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 36		<i>original text</i>	RCV	+	409, 45, 14
§ 37		<i>original text</i>	sep	+	
§ 38	19	BRADBURN et al	RCV	-	69, 364, 35
§ 39		<i>original text</i>	split		
			1	+	
			2	+	
§ 40	20	BRADBURN et al		-	
§ 42		<i>original text</i>	split		
			1	+	
			2	+	
§ 44		<i>original text</i>	sep	+	
§ 45		<i>original text</i>	split		
			1	+	
			2	+	
§ 46	21	BRADBURN et al	RCV	-	99, 363, 9
§ 55		<i>original text</i>	split		
			1	+	
			2	+	
§ 56		<i>original text</i>	sep	+	
§ 58		<i>original text</i>	sep	+	
§ 59		<i>original text</i>	sep	+	
§ 60	22	BRADBURN et al	RCV	-	153, 307, 9
§ 61		<i>original text</i>	sep	+	
§ 65		<i>original text</i>	split		
			1	+	
			2	+	
§ 68		<i>original text</i>	split		
			1	+	
			2	+	
citation 4		<i>original text</i>	RCV	+	359, 96, 9
after citation 5	6	GUE/NGL		-	
rec 7	7	GUE/NGL		-	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after rec A	8	GUE/NGL		-	
rec F	3	PPE-DE	EV	+	292, 128, 34
	§	original text	sep	↓	
after rec F	14	EDD		-	
vote: resolution (as a whole)				+	

Requests for roll-call votes

PPE-DE: §§ 10, 17
PSE: am 13
GUE/NGL: ams 9, 10, 11
EDD: am 16
Mr Bradbourn et al: indent 4, §§ 7, 36, ams 17, 18, 19, 21, 22
Mr Nassauer et al: am 5

Requests for separate vote

ELDR: § 44
Mr Bradbourn et al §§ 17, 34, 35, 37, 56, 58, 59, 61

Requests for split votes

ELDR

§ 19

1st part: text as a whole apart from the words 'Notes with surprise, but (...) nevertheless'
2nd part: those words

Verts/ALE

am 4

1st part: up to '5 years'
2nd part: remainder

§ 39

1st part: up to 'emerging challenges'
2nd part: remainder

§ 42

1st part: up to 'should not be forgotten'
2nd part: remainder

§ 45

1st part: up to 'face'
2nd part: remainder

§ 55

1st part: up to 'financial perspectives'
2nd part: remainder

§ 65

1st part: up to 'ACP region'
2nd part: remainder

§ 68

1st part: up to 'environmental fields'
2nd part: remainder

Thursday 22 April 2004

18. Third report on economic and social cohesion

Report: HATZIDAKIS (A5-0272/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after § 3	2	PSE		-	
after § 5	1	BRADBURN et al		-	
	3	PSE	split		
			1	-	
			2	↓	
§ 7		original text	sep/EV	+	249, 190, 13
after § 8	4	PSE	EV	-	158, 285, 13
§ 10	15	ELDR	EV	+	227, 215, 8
	§	original text		↓	
§ 12	25	Verts/ALE	EV	-	220, 234, 3
after § 15	5	PSE	split		
			1	-	
			2	↓	
after § 16	16	ELDR		-	
after § 18	26	Verts/ALE		-	
	27	Verts/ALE	RCV	-	46, 410, 12
	28	Verts/ALE		-	
§ 19	22	PPE-DE		+	
§ 20		original text	sep/EV	+	250, 190, 9
§ 25		original text	split		
			1	+	
			2	+	
§ 29		original text	split		
			1	+	
			2	+	
§ 36		original text	sep	+	
§ 37		original text	split		
			1	+	
			2	+	
after § 39	11	PSE		-	
§ 41		original text	sep	+	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 45	6	PSE		+	
§ 52	7	PSE	split		
			1	-	
			2/EV	+	245, 214, 3
			3/EV	-	163, 290, 4
	§	<i>original text</i>		↓	
§ 54		<i>original text</i>	sep	-	
after § 56	23	PPE-DE		+	
§ 57	8	PSE		W	
	30	Verts/ALE		W	
	29	Verts/ALE		-	
§ 62	31	Verts/ALE		-	
	§	<i>original text</i>	split		
			1	+	
			2/EV	+	213, 206, 13
			3	+	
§ 66	17	ELDR		+	
§ 68	18 D	ELDR		-	
§ 69	20	ELDR		-	
§ 70		<i>original text</i>	sep/EV	-	222, 230, 6
§ 76	9	PSE	EV	-	210, 242, 9
	10	PSE		-	
	19	PSE	EV	-	200, 252, 7
§ 77		<i>original text</i>	sep	+	
§ 78	21	ELDR		+	
after § 86	32	Verts/ALE	RCV	-	97, 360, 5
after § 87	24	Verts/ALE		-	
	33	Verts/ALE		-	
§ 88		<i>original text</i>	sep/EV	-	210, 231, 2
§ 89		<i>original text</i>	sep	-	
§ 93	34	Verts/ALE		-	
§ 96		<i>original text</i>	split		
			1	+	
			2	+	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 97		original text	split		
			1	+	
			2	-	
§ 99	35	Verts/ALE	split		
			1	-	
			2	↓	
§ 101		original text	sep/EV	-	199, 242, 11
after rec D	37	BRADBOURN et al	RCV	-	64, 382, 27
rec E	12	ELDR		+	
after rec E	36	Verts/ALE		-	
rec O	13	ELDR		+	
rec P	14	ELDR		+	
vote: resolution (as a whole)				+	

Requests for roll-call votes

Verts/ALE: ams 27, 32

Mr Bradbourn et al: am 37

Requests for separate vote

PPE-DE: §§ 7, 10, 20, 36, 41, 54, 70, 77, 88, 89, 101

Requests for split votes

PPE-DE

§ 25

1st part: up to 'criteria'

2nd part: remainder

§ 29

1st part: up to 'prevention'

2nd part: remainder

§ 37

1st part: up to 'and beyond'

2nd part: remainder

§ 62

1st part: up to 'too'

2nd part: 'calls therefore ... continued'

3rd part: remainder

§ 96 [§ 97 of the English version]

1st part: up to 'where appropriate'

2nd part: remainder

§ 97 [§ 98 of the English version]

1st part: up to 'supervision'

2nd part: remainder

Thursday 22 April 2004

ELDR

am 35

1st part: text as a whole apart from the words 'based on the implementation ... development dimension'

2nd part: those words

Mr Bradbourn et al

am 3

1st part: up to 'Fund be extended'

2nd part: remainder

am 5

1st part: up to 'these small businesses'

2nd part: remainder

Verts/ALE, Bradbourn et al

am 7

1st part: up to 'URBAN+ Programme'

2nd part: 'without, however ... social cohesion'

3rd part: remainder

Other information

The PSE Group had withdrawn amendment 8.

The Verts/ALE Group had withdrawn amendment 30.

19. Commission's annual policy strategy for 2005

Report: GARRIGA POLLEDO (A5-0269/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after § 2	11	GUE/NGL		-	
§ 3		original text	split		
			1	+	
			2	+	
§ 10	7	PPE-DE	EV	+	233, 232, 2
	6	PSE		↓	
§ 11	12	GUE/NGL		-	
§ 14	13	GUE/NGL		-	
	8	PPE-DE		-	
§ 17	3	PSE		+	
after § 17	9	PPE-DE		+	
§ 20	1	Verts/ALE	RCV	-	77, 377, 7
	§	original text	RCV	+	343, 108, 13
§ 21		original text	RCV	+	413, 31, 8
§ 22		original text	RCV	+	406, 44, 11

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 24		original text	split		
			1	+	
			2	+	
after § 24	2	Verts/ALE		+	
	4	PSE		+	
§ 25	5	PSE	split		
			1/RCV	+	414, 48, 5
			2/RCV	-	182, 254, 11
after § 25	14	GUE/NGL		-	
	15	GUE/NGL	RCV	-	143, 318, 6
§ 26		original text	RCV	+	446, 7, 6
after § 28	10	PPE-DE		+	
§ 29		original text	RCV	+	370, 88, 10
§ 31		original text	sep	+	
vote: resolution (as a whole)				+	

Requests for roll-call votes

PPE-DE: §§ 20, 21, 26 and ams 1, 5

GUE/NGL: am 15

Mr Bradbourn et al: §§ 22, 29

Requests for split votes

PPE-DE

am 5*1st part:* 'which are carried out as a part of a UN mandate'*2nd part:* deletion (of the original text)

Verts/ALE

§ 24*1st part:* up to 'authority'*2nd part:* remainder

Mr Bradbourn et al

§ 3*1st part:* up to 'interinstitutional balance'*2nd part:* remainder*Requests for separate vote*

Verts/ALE: § 20

Mr Bradbourn et al: § 31

Thursday 22 April 2004

20. Parliament's preliminary estimates for 2005

Report: KUCKELKORN (A5-0236/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
after § 14	1	BALFE et al	RCV	-	125, 327, 16
	2	PPE-DE	EV	-	185, 226, 13
§ 17	3	PPE-DE		+	
after § 23	4	PPE-DE		-	
§ 35		original text	sep	+	
vote: resolution (as a whole)				+	

Requests for roll-call votes

PSE: am 1

Requests for separate vote

PSE: § 35

21. EIB annual report

Report: RANDZIO-PLATH (A5-0258/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 2	2	Verts/ALE		-	
after § 5	7	Verts/ALE		-	
	8	Verts/ALE	RCV	-	118, 341, 5
§ 6	3	Verts/ALE	RCV	+	453, 17, 3
after § 6	4	Verts/ALE		+	
after § 7	5	Verts/ALE		-	
§ 8		original text	RCV	+	380, 24, 65
after § 13	6	Verts/ALE		-	
rec I	1	Verts/ALE	RCV	-	131, 326, 15
vote: resolution (as a whole)				+	

Requests for roll-call votes

Verts/ALE: § 8 and ams 1, 3, 8

Thursday 22 April 2004

22. Eurostat

Motions for resolutions: B5-0218/2004, B5-0219/2004, B5-0220/2004, B5-0222/2004, B5-0223/2004, B5-0225/2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
joint motion for a resolution RC5-0218/2004 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN, EDD + Mr DELL'ALBA)					
§ 6	2	UEN		-	
after § 6	3	PPE-DE	RCV	+	247, 209, 4
after § 11	1	EDD	RCV	-	131, 322, 5
vote: resolution (as a whole)			RCV	+	271, 194, 7
motions for resolutions by political groups					
B5-0218/2004		EDD		↓	
B5-0219/2004		Verts/ALE		↓	
B5-0220/2004		ELDR		↓	
B5-0222/2004		GUE/NGL		↓	
B5-0223/2004		PSE		↓	
B5-0225/2004		PPE-DE		↓	

Requests for roll-call votes

EDD: ams 1, 3, final vote

23. Freedom of expression and information

Report: BOOGERD-QUAAK (A5-0230/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 1		original text	RCV	+	245, 19, 13
§ 2		original text	RCV	+	255, 20, 15
§ 3		original text	RCV	+	258, 14, 11
§ 4		original text	RCV	+	249, 15, 13
§ 5		original text	RCV	+	263, 11, 14
§ 6		original text	RCV	+	250, 13, 15
§ 7		original text	RCV	+	263, 14, 17
§ 8		original text	RCV	+	259, 17, 15
§ 9		original text	RCV	+	253, 22, 13
§ 10		original text	RCV	+	258, 12, 12
§ 11		original text	RCV	+	251, 13, 11
§ 12		original text	RCV	+	245, 21, 13

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 13		<i>original text</i>	RCV	+	250, 19, 14
§ 14		<i>original text</i>	RCV	+	255, 14, 16
§ 15		<i>original text</i>	RCV	+	250, 16, 14
§ 16		<i>original text</i>	RCV	+	250, 18, 16
§ 17		<i>original text</i>	RCV	+	241, 18, 15
§ 18		<i>original text</i>	RCV	+	253, 17, 15
§ 19		<i>original text</i>	RCV	+	243, 20, 13
§ 20		<i>original text</i>	RCV	+	245, 15, 14
§ 21		<i>original text</i>	RCV	+	240, 21, 13
§ 22		<i>original text</i>	RCV	+	252, 12, 12
§ 23		<i>original text</i>	RCV	+	244, 11,14
§ 24		<i>original text</i>	RCV	+	251, 13, 14
§ 25		<i>original text</i>	RCV	+	252, 13, 13
§ 26-39		<i>original text</i>	RCV	+	247, 18,17
§ 40		<i>original text</i>		<i>inadmissible</i>	
§ 41		<i>original text</i>	RCV	+	246, 16, 19
§ 42		<i>original text</i>	RCV	+	240, 15, 19
§ 43		<i>original text</i>	RCV	+	242, 17, 14
§ 44		<i>original text</i>	RCV	+	<i>the words 'serious and persistent' — inadmissible</i> 248,14,17
§ 45-52		<i>original text</i>	RCV	+	246, 15, 21
§ 53		<i>original text</i>	RCV	+	115, 59, 106
§ 54		<i>original text</i>	RCV	+	250, 15, 18
§ 55		<i>original text</i>	RCV	+	231, 16, 15
§ 56		<i>original text</i>	RCV	+	232, 17, 15
§ 57		<i>original text</i>	RCV	+	<i>given names inadmissible</i> 244, 18, 15
§ 58		<i>original text</i>	RCV	+	229, 16, 19
§ 59		<i>original text</i>	RCV	+	<i>given names inadmissible</i> 240, 21, 15
§ 60-70		<i>original text</i>	RCV	+	<i>given names inadmissible</i> 238, 21, 18

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 71		<i>original text</i>	RCV	+	243, 17, 16
§ 72		<i>original text</i>	RCV	+	231, 17, 17
§ 73		<i>original text</i>	RCV	+	232, 14, 19
§ 74		<i>original text</i>	RCV	+	236, 19, 15
§ 75		<i>original text</i>	RCV	+	232, 19, 13
§ 76		<i>original text</i>	RCV	+	214, 20, 17
§ 77		<i>original text</i>	RCV	+	227, 19, 19
§ 78		<i>original text</i>	RCV	+	227, 18, 16
§ 79		<i>original text</i>	RCV	+	207, 14, 20
§ 80		<i>original text</i>	RCV	+	232, 20, 18
§ 81		<i>original text</i>	RCV	+	239, 12, 15
§ 82		<i>original text</i>	RCV	+	233, 16, 14
§ 83		<i>original text</i>	RCV	+	231, 16, 17
§ 84		<i>original text</i>	RCV	+	232, 19, 14
§ 85		<i>original text</i>	RCV	+	226, 17, 18
§ 86		<i>original text</i>	RCV	+	230, 18, 20
§ 87		<i>original text</i>	RCV	+	224, 16, 16
§ 88		<i>original text</i>	RCV	+	229, 15, 20
§ 89		<i>original text</i>	RCV	+	242, 14, 13
indents 1-14		<i>original text</i>	RCV	+	2nd sub-indent of indent 12 inadmissible 238, 16, 23
rec A		<i>original text</i>	RCV	+	244, 9, 14
rec B		<i>original text</i>	RCV	+	223, 12, 16
rec C		<i>original text</i>	RCV	+	250, 11, 15
rec D		<i>original text</i>	RCV	+	236, 16, 20
rec E		<i>original text</i>	RCV	+	233, 11, 17
rec F		<i>original text</i>	RCV	+	229, 16, 19
rec G		<i>original text</i>	RCV	+	230, 17, 15
vote: resolution (as a whole)			RCV	+	237, 24, 14

Other information

Further to the recommendations of the services, and in line with the reply given by President Cox in his letter of 19 April 2004 to Mr Podestà, the President, according to Article 19, paragraph 2 of the Internal Rules, has decided the following:

— **Citation 12**

delete the second sub indent inferring to Petitions 1256/2003 and 35/2004, which had not been referred to the Committee on Citizens Freedoms.

Thursday 22 April 2004

- After paragraph 39, replace the words '**Investigation by**' of the subtitle, with '**Preliminary analysis by**'
- **Paragraph 40**
To be deemed as inadmissible, as the Parliament has not been requested to examine the possible use of the procedure of Article 7 of the EU Treaty in the context of this report.
- **Paragraph 44**
To remove the words '**serious and persistent**', to be considered as inadmissible, as they refer to the procedure of Article 7 of the EU Treaty.
- **Paragraphs 57, 59, 60, 61, 68, 69**
To delete any reference to a named person, according to a good parliamentary practice.

24. Situation in Pakistan

Motion for a resolution: B5-0187/2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
motion for resolution (B5-0187/2004/rev) (Committee on Foreign Affairs)					
after § 8	1	PSE		+	
after § 9	2	PSE		+	
vote: resolution (as a whole)			RCV	+	394, 0, 4

25. Transatlantic Relationship

Motion for a resolution: B5-0185/2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
motion for a resolution B5-0185/2004 (Committee of Foreign Affairs)					
§ 1	5	GUE/NGL		-	
after § 1	6	GUE/NGL	RCV	-	179, 211, 11
§ 4, after point (a)	7	GUE/NGL	EV	+	314, 72, 5
art 4, point (c)	8	GUE/NGL	EV	-	179, 205, 9
§ 4, point (d)	9	GUE/NGL		+	
§ 4, point (h)	16	Verts/ALE	EV		246, 137, 9
after § 4	24 = 27 =	PSE Verts/ALE		+	
	25 = 28 =	PSE Verts/ALE		+	
§ 5	26 = 29 =	PSE Verts/ALE		+	
§ 7		original text	sep	+	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 8	17	Verts/ALE	split		
			1	+	
			2	-	
after § 10	10	GUE/NGL	EV	+	217, 173, 0
after § 12	18	Verts/ALE		-	
	11	GUE/NGL	RCV	+	232, 152, 5
§ 13		original text	RCV	+	amended orally 307, 75, 7
after § 14	21	Verts/ALE	EV	+	204, 179, 3
§ 15		original text	RCV	-	25, 360, 6
after § 16	12	GUE/NGL	RCV	-	181, 201, 7
	19	Verts/ALE		+	
after § 17	20	Verts/ALE	RCV	-	114, 273, 7
§ 18		original text	RCV	+	333, 57, 6
§ 19		original text	RCV	+	307, 81, 6
§ 20		original text	RCV	+	282, 99, 5
§ 21		original text	sep	+	
§ 23	13	GUE/NGL		+	
	23	PPE-DE		W	
§ 27		original text	sep	+	
after § 27	22	PPE-DE		+	
after rec A	1	GUE/NGL	EV	+	196, 182, 9
after rec B	2	GUE/NGL	EV	-	187, 193, 2
after rec C	3	GUE/NGL		+	
	4	GUE/NGL		+	
vote: resolution (as a whole)				+	

Amendments 14 and 15 had been cancelled

Requests for roll-call votes

Verts/ALE: §§ 13, 15

GUE/NGL: ams 6, 11, 12, 20, §§ 18, 19, 20

Requests for separate vote

PPE-DE: § 15

PSE: §§ 7, 19, 20, 27

Verts/ALE: §§ 18, 19, 20, 21

GUE/NGL: §§ 18, 19, 20

Thursday 22 April 2004

Requests for split votes

PPE-DE

am 17

1st part: text as a whole apart from the deletion of the original text

2nd part: deletion

Other information

The PPE-DE Group had withdrawn its amendment 23.

Hannes Swoboda, on behalf of the PSE Group, proposed an oral amendment to amendment 6, to add the words 'in the framework of United Nations arrangements'.

Erika Mann proposed oral amendments, to replace in paragraph 13 the words 'a single market' by the words 'a barrier-free transatlantic market' and to delete from paragraph 15 the words 'aimed at achieving the free movement of goods, capital, services and persons'.

26. Human rights in 2003 and EU policy

Report: De Keyser (A5-0270/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 4	3	PPE-DE		-	
		original text		+	<i>amended orally</i>
§ 23	14	UEN		+	
§ 46	4	PPE-DE	EV	+	177, 176, 4
§ 47	5	PPE-DE	EV	-	173, 176, 7
§ 57	6 S	PPE-DE	RCV	-	172, 188, 3
after § 66	28	5 political groups (*)		+	
	29	5 political groups		+	
	30	5 political groups		+	
after § 67	31	5 political groups		+	
	32	5 political groups		+	
	33	5 political groups	EV	+	209, 152, 1
	34	5 political groups		+	
	35	5 political groups		+	
	36	5 political groups		+	
§ 68	37	5 political groups		+	
after § 68	38	5 political groups		+	
after § 69	39	5 political groups		+	
	40	5 political groups		+	
§ 71	7 D	PPE-DE	RCV	-	118, 241, 1
§ 72	8 S	PPE-DE	RCV	-	114, 248, 1

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 73	9 S	PPE-DE	RCV	-	114, 250, 1
§ 77	10 D	PPE-DE	RCV	-	138, 225, 0
§ 78	11 D	PPE-DE	RCV	-	109, 252, 1
§ 79	12 S	PPE-DE	RCV	-	128, 224, 1
§ 80	13 D	PPE-DE	RCV	-	131, 227, 6
after citation 8	16	5 political groups		+	
	17	5 political groups		+	
	18	5 political groups	EV	+	206, 141, 1
	19	5 political groups		+	
	20	5 political groups		+	
	21	5 political groups		+	
rec Q	1	PPE-DE		-	
after rec Q	22	5 political groups		+	
rec R	2	PPE-DE		-	
rec S	23	5 political groups		+	
	24	5 political groups		+	
	25	5 political groups		+	
	26	5 political groups		+	
	27	5 political groups		+	
vote: resolution (as a whole)			EV	+	189, 111, 29

(¹) The five political groups are the PSE, ELDR, GUE/NGL, Verts/ALE and EDD.

Amendment 15 had been cancelled

Mrs Malmström had not signed amendments 16 to 40. Mrs Nicholson and Mr Van den Bos had signed on behalf of the ELDR Group. Mrs Sandbaek had signed amendments 16 to 40.

Requests for roll-call votes

PSE: ams 6 D, 7 D, 8 D, 9 D, 10 D, 11 D, 12 D, 13 D

Other information

Mrs Dell'Alba moved an oral amendment to paragraph 4 adding the words 'such as mountain-dwellers in Vietnam, the victims of systematic repression'.

Thursday 22 April 2004

27. Outcome of the trial against Leyla Zana and others in Ankara

Motions for resolutions: B5-0193, 0196, 0197, 0198 and 0199/2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
joint motion for a resolution RC5-0193/2004 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL)					
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0193/2004		PSE		↓	
B5-0196/2004		Verts/ALE		↓	
B5-0197/2004		ELDR		↓	
B5-0198/2004		GUE/NGL		↓	
B5-0199/2004		PPE-DE		↓	

28. Broad guidelines of economic policy

Report: RANDZIO-PLATH (A5-0280/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 1	2	Verts/ALE		-	
after § 1	3	Verts/ALE		-	
	8	GUE/NGL		-	
	9	GUE/NGL	RCV	-	43, 266, 10
	10	GUE/NGL	RCV	-	59, 247, 7
	11	GUE/NGL	RCV	-	50, 260, 11
	12	GUE/NGL	RCV	-	54, 257, 2
	13	GUE/NGL	RCV	-	60, 255, 4
§ 2	1 = 4 =	PSE Verts/ALE	EV	-	120, 159, 1
after § 2	6	Verts/ALE		-	
modification 1	5	Verts/ALE		-	
modification 2				+	amended orally
modification 5		original text	split		
			1	+	
			2	-	
			3	-	
after rec B	7	GUE/NGL		-	
vote: recommendation (as a whole)				+	

Thursday 22 April 2004

Requests for roll-call votes

GUE/NGL: ams 9, 10, 11, 12, 13

Requests for split votes

ELDR

modification 5*1st part:* text as a whole except the words 'however the future ... economic reality' and 'the new ... EU legislation'*2nd part:* the words 'however the future ... economic reality'*3rd part:* the words 'the new ... EU legislation'*Other information*

Mr Goebbels, on behalf of the PSE Group, proposed an oral amendment to modification 2, to read as follows: 'The general guidelines 2003-2005 remain valid but must be focused even more on boosting economic growth resulting in job creation and productivity growth'.

29. Cuba*Motions for resolutions: B5-0192, 0201, 0204, 0207, 0208, 0212 and 0214/2004*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
joint motion for a resolution – RC5-0192/2004 (PPE-DE, ELDR, UEN, EDD)					
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0192/2004		PPE-DE		↓	
B5-0201/2004		ELDR		↓	
B5-0204/2004		Verts/ALE		↓	
B5-0207/2004		EDD		↓	
B5-0208/2004		PSE		↓	
B5-0212/2004		GUE/NGL		↓	
B5-0214/2004		UEN		↓	

30. Sport products for the Olympic Games*Motions for resolutions: B5-0191, 0200, 0202 and 0210/2004*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
joint motion for a resolution – RC5-0191/2004 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN)					
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0191/2004		PSE + Verts/ALE + GUE/NGL		↓	

Thursday 22 April 2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
B5-0200/2004		ELDR		↓	
B5-0202/2004		PPE-DE		↓	
B5-0210/2004		UEN		↓	

31. Nigeria

Motions for resolutions: B5-0194, 0203, 0205, 0206, 0209, 0211 and 0213/2004

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
joint motion for a resolution RC5-0194/2004 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN, EDD)					
after § 3	2	ELDR		+	
after rec H	1	ELDR		+	
vote: resolution (as a whole)			RCV	+	84, 0, 0
motions for resolutions by political groups					
B5-0194/2004		UEN		↓	
B5-0203/2004		PPE-DE		↓	
B5-0205/2004		Verts/ALE		↓	
B5-0206/2004		EDD		↓	
B5-0209/2004		PSE		↓	
B5-0211/2004		ELDR		↓	
B5-0213/2004		GUE/NGL		↓	

Requests for roll-call votes

PPE-DE: final vote of the JT MOT

32. Women in South-East Europe

Report: KARAMANOU (A5-0182/2004)

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
§ 5	1	PPE-DE		+	
§ 6	2	PPE-DE		+	
	§	<i>original text</i>		↓	
§ 30	§	<i>original text</i>	split		
			1	+	
			2/EV	-	34, 42, 2
<i>vote: resolution (as a whole)</i>				+	

Thursday 22 April 2004

Requests for split votes

ELDR

§ 30*1st part: up to 'type of violence'**2nd part: remainder***33. Review of Ottawa Treaty on anti-personnel mines***Motions for resolutions: B5-0215, 0216, 0217, 0221 and 0224/2004*

Subject	Amendment No	Author	RCV, etc.	Vote	RCV/EV – remarks
<i>joint motion for a resolution RC5-0215/2004 (PPE-DE, PSE, ELDR, Verts/ALE+GUE/NGL)</i>					
after § 3	1	Verts/ALE		+	
<i>vote: resolution (as a whole)</i>				+	
<i>motions for resolutions by political groups</i>					
B5-0215/2004		PPE-DE		↓	
B5-0216/2004		ELDR		↓	
B5-0217/2004		GUE/NGL		↓	
B5-0221/2004		Verts/ALE		↓	
B5-0224/2004		PSE		↓	

Thursday 22 April 2004

ANNEX II

RESULT OF ROLL-CALL VOTES

1. Lulling report A5-0232/2003

Resolution

For: 419

EDD: Abitbol, Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Blak, Bordes, Boudjenah, Cauquil, Chountis, Dary, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Markov, Meijer, Modrow, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Martin Hans-Peter, Pannella, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggel, Kaldí, Karas, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenzel, Stockton, Sudre, Suominen, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Boumediene-Thiery, Buitenweg, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Sörensen, Staes, Turmes, Wuori, Wyn

Thursday 22 April 2004

Against: 37**EDD:** Andersen, Bonde, Sandbæk**ELDR:** Malmström, Paulsen, Schmidt**GUE/NGL:** Alyssandrakis, Korakas, Patakis, Schmid Herman, Seppänen, Sjöstedt**PPE-DE:** Arvidsson, Callanan, Dover, Foster, García-Orcoyen Tormo, Grönfeldt Bergman, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Provan, Purvis, Stenmarck, Stevenson, Tannock, Twinn, Van Orden, Villiers, Wachtmeister, Wijkman**PSE:** Andersson, van den Berg, Theorin**Abstention: 3****GUE/NGL:** Caudron, Naïr**PPE-DE:** Corrie**2. Jarzembowski report A5-0242/2004****Joint text****For: 387****EDD:** Andersen, Belder, Blokland, Bonde, Butel, van Dam, Mathieu, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Blak**NI:** Berthu, Beysen, Bonino, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perrière, Pannella, Souchet, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bowis, Bremmer, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carnero González, Carrilho, Casaca, Cashman, Ceideira Morterero, Ceyhun, Corbett, Corbey, Díez González, Dührkop Dührkop, Duhamel, Duin, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Obiols i Germà,

Thursday 22 April 2004

O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Randzio-Plath, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Lagendijk, Lambert, Maes, Mayol i Raynal, Ortuondo Larrea, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 78

EDD: Abitbol, Bernié, Esclopé, Kuntz, Saint-Josse

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Bourlanges, Goodwill

PSE: Carlotti, Dehousse, De Keyser, Désir, Dhaene, El Khadraoui, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Patrie, Poignant, Poos, Rocard, Savary, Van Lancker, Zrihen

Verts/ALE: Boumediene-Thiery, Breyer, Duthu, Flautre, Isler Béguin, Jonckheer, Lannoye, Onesta, Rod, Turmes

Abstention: 6

ELDR: Formentini

NI: Borghezio, Martin Hans-Peter

PPE-DE: Lulling

PSE: van den Berg

Verts/ALE: Nogueira Román

3. Sterckx report A5-0245/2004

Joint text

For: 406

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Ilgenfritz, Kronberger, de La Perriere, Martin Hans-Peter, Pannella, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfé, Banotti, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming,

Thursday 22 April 2004

Florenz, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Désir, Dhaene, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 51

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Esclopé, Kuntz, Saint-Josse, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Speroni

PPE-DE: Goodwill

PSE: Dehousse, Zrihen

Abstention: 6

GUE/NGL: Puerta

NI: Dillen, Gollnisch, Gorostiaga Atxalandabaso, Lang

PSE: De Keyser

Thursday 22 April 2004

4. Rocard report A5-0148/2004**Amendment 1, 1st part****For: 440****EDD:** Abitbol, Kuntz, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Souchet**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrillo, Casaca, Cashman, Cerdeira Morterero, Ceyhan, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Against: 15**EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**NI:** Claey's, Dillen, Gollnisch, Lang, Speroni, Stirbois**PPE-DE:** Stockton**PSE:** Iivari, Schmid Gerhard**Abstention: 11****EDD:** Bernié, Butel, Esclopé, Saint-Josse**NI:** Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Pannella**Verts/ALE:** Rühle**5. Rocard report A5-0148/2004****Amendment 1, 2nd part****For: 281****EDD:** Abitbol, Kuntz, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Gorostiaga Atxalandabaso, de La Perriere, Souchet**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zissener**PSE:** Cerdeira Morterero, Ceyhun, Duin, Gebhardt, Glante, Görlach, Gröner, Hänsch, Haug, Iivari, Jöns, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuhne, Lange, Marinho, Müller, Randzio-Plath, Schmid Gerhard, Terrón i Cusí, Walter**UEN:** Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Cohn-Bendit

Thursday 22 April 2004

Against: 171

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

GUE/NGL: Scarbonchi, Sylla

NI: Claeys, Dillen, Garaud, Gollnisch, Ilgenfritz, Kronberger, Lang, Speroni, Stirbois

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hazan, Honeyball, Howitt, Hughes, van Hulten, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Kinnock, Koukiadis, Lage, Lalumière, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 9

EDD: Butel

NI: Bonino, Borghezio, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

Verts/ALE: Jonckheer, Rühle

6. Rocard report A5-0148/2004

Amendment 6, 1st part

For: 159

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Ghilardotti, Gillig, Goebbels, Guy-Quint, Hazan, van Hulten, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Koukiadis, Lage, Lalumière, Lund, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Wiersma, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Against: 293**EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Kuntz, Mathieu, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Frahm, Schmid Herman, Seppänen, Sjöstedt**NI:** Berthu, Beysen, Claeys, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Horteaux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Bowe, Cashman, Ceyhun, Corbett, Duin, Ford, Gebhardt, Gill, Glante, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, Hughes, Iivari, Jöns, Junker, Keßler, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuhne, Lange, Leinen, McAvan, McCarthy, McNally, Martin David W., Miller, Müller, O'Toole, Piecyk, Randzio-Plath, Rapkay, Read, Schmid Gerhard, Simpson, Skinner, Stihler, Titley, Walter, Watts, Weiler, Whitehead, Wynn**UEN:** Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro**Abstention: 14****EDD:** Bernié, Butel, Esclopé, Saint-Josse**GUE/NGL:** Alyssandrakis, Krarup, Patakis**NI:** Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Pannella**Verts/ALE:** Rühle**7. Rocard report A5-0148/2004****Amendment 6, 2nd part****For: 41****ELDR:** Boogerd-Quaak, van den Bos**GUE/NGL:** Bordes, Cauquil, Laguiller, Markov, Meijer, Papayannakis, Puerta**NI:** Gorostiaga Atxalandabaso**PSE:** Marinho

Thursday 22 April 2004

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 392

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

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Dary, Frahm, Krarup, Nair, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla

NI: Berthu, Beysen, Claeys, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wüermeling, Zacharakis, Zappalà, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Abstention: 33**EDD:** Butel**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Modrow, Patakis, Ribeiro, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Pannella**Verts/ALE:** Jonckheer, Rühle**8. Rocard report A5-0148/2004****Amendment 8****For: 203****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**ELDR:** Schmidt**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hazan, Honeyball, Howitt, Hughes, van Hulten, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Kefler, Kinnock, Koukiadis, Lage, Lalumière, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Crowley, Fitzsimons, Hyland**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 260****EDD:** Abitbol, Bernié, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**NI:** Berthu, Beysen, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles,

Thursday 22 April 2004

Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Ceyhun, Corbett, Duin, Gebhardt, Glante, Görlach, Gröner, Hänsch, Haug, Iivari, Jöns, Junker, Kindermann, Krehl, Kreissl-Dörfler, Kuhne, Lange, Leinen, Müller, Randzio-Plath, Schmid Gerhard, Walter, Weiler

UEN: Angelilli, Camre, Caullery, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Abstention: 9

NI: Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Martin Hans-Peter, Pannella

Verts/ALE: Jonckheer, Rühle

9. Rocard report A5-0148/2004

Amendment 10

For: 194

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigel, Figueiredo, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Martin Hans-Peter

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hazan, Honeyball, Howitt, Hughes, van Hulten, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Kinnock, Koukiadis, Lage, Lalumière, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Against: 274**EDD:** Abitbol, Bernié, Esclopé, Kuntz, Mathieu, Saint-Josse**ELDR:** Andreassen, André-Léonard, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Frahm, Korakas, Krarup, Patakis, Schmid Herman, Seppänen, Sjöstedt**NI:** Berthu, Beysen, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wiermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Ceyhun, Duin, Gebhardt, Glante, Görlach, Gröner, Hänsch, Haug, Iivari, Jöns, Junker, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuhne, Lange, Leinen, Müller, Piecyk, Randzio-Plath, Rapkay, Schmid Gerhard, Walter, Weiler**UEN:** Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro**Abstention: 8****EDD:** Butel**NI:** Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Pannella**Verts/ALE:** Rühle**10. Rocard report A5-0148/2004****Commission proposal****For: 309****EDD:** Abitbol, Kuntz, Mathieu**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Thursday 22 April 2004

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Martin Hans-Peter

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Píscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Duhamel, Gebhardt, Glante, Görlach, Keßler, Leinen, Marinho, Pérez Royo, Poignant, Rothley, Schmid Gerhard, Soares, Whitehead

UEN: Angelilli, Caullery, Crowley, Fitzsimons, Hyland, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 132

EDD: Andersen, Belder, Bernié, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk

NI: Claeys, Dillen, Gollnisch, Lang, de La Perrière, Speroni, Stirbois

PPE-DE: Gil-Robles Gil-Delgado

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pittella, Poos, Rapkay, Read, Rocard, Rothe, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Wiersma, Wynn, Zorba, Zrihen

UEN: Muscardini

Verts/ALE: Jonckheer

Abstention: 35

EDD: Blokland, Butel

GUE/NGL: Alyssandrakis, Korakas, Krarup, Patakis

NI: Berthu, Beysen, Borghezio, Dell'Alba, Dupuis, Garaud, Pannella, Souchet

Thursday 22 April 2004

PSE: Ceyhun, Duin, Gröner, Hänsch, Iivari, Jöns, Junker, Krehl, Kreissl-Dörfler, Kuhne, Müller, Piecyk, Randzio-Plath, Roth-Behrendt, Walter, Weiler

UEN: Camre, Marchiani

Verts/ALE: Boumediene-Thiery, Rod, Rühle

11. Rocard report A5-0148/2004

Resolution

For: 310

EDD: Abitbol, Kuntz, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz, Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles, Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bullmann, Ceyhun, Duin, Gebhardt, Glante, Görlach, Hänsch, Haug, Jöns, Junker, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Lange, Leinen, Müller, Pérez Royo, Poignant, Randzio-Plath, Schmid Gerhard, Weiler

UEN: Angelilli, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Lagendijk, Lambert, Lucas, Maes, Mayol i Raynal, Nogueira Román, Ortuondo Larrea, Rod, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 132

EDD: Andersen, Bernié, Bonde, Esclopé, Saint-Josse, Sandbæk

GUE/NGL: Sylla

NI: Claeys, Dillen, Gollnisch, Lang, de La Perrière, Speroni, Stirbois

Thursday 22 April 2004

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hazan, Honeyball, Howitt, Hughes, van Hulten, Izquierdo Collado, Izquierdo Rojo, Karamanou, Katiforis, Kinnock, Koukiadis, Lage, Lalumière, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Abstention: 30

EDD: Belder, Blokland, Butel, van Dam

GUE/NGL: Alyssandrakis, Korakas, Krarup, Patakis

NI: Berthu, Beysen, Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Pannella, Souchet

PSE: Gröner, Iivari, Kuhne, Walter

UEN: Camre

Verts/ALE: Boumediene-Thiery, Ferrández Lezaun, Flautre, Isler Béguin, Jonckheer, Onesta, Rühle, Turmes

12. Wynn report A5-0268/2004

Amendment 9

For: 43

ELDR: Formentini, Procacci

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Sylla, Uca, Vinci, Wurtz

NI: Beysen, Gorostiaga Atxalandabaso

PSE: Dehousse, Marinho, Pittella, Schulz

Verts/ALE: Boumediene-Thiery, Frassoni, Jonckheer, Rod, Turmes

Against: 414

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Frahm, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Bonino, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perrière, Pannella, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo,

Thursday 22 April 2004

García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhan, Corbett, Corbey, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Tittley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Breyer, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

Abstention: 8

GUE/NGL: Krarup, Krivine, Schröder Ilka, Vachetta

NI: Borghesio, Martin Hans-Peter

Verts/ALE: Duthu, Wuori

13. Wynn report A5-0268/2004

Paragraph 7

For: 407

EDD: Abitbol, Kuntz, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

Thursday 22 April 2004

NI: Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hortefeux, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanov, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Sacconi, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 45

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

NI: Berthu, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Florenz, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Stevenson, Tannock, Twinn, Van Orden, Villiers

PSE: Carrilho, Corbett

Abstention: 11

EDD: Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Alyssandrakis, Korakas, Patakis, Vachetta

NI: Borghezio, Martin Hans-Peter

PPE-DE: Hieronymi

Thursday 22 April 2004

14. Wynn report A5-0268/2004**Amendment 17****For: 82**

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

ELDR: Maaten, Malmström, Manders, Mulder, Rousseaux, Schmidt

GUE/NGL: Frahm, Krarup, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Claeys, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet, Stirbois

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Cesaro, Chichester, Corrie, Deva, De Veyrac, Dover, Flemming, Florenz, Foster, Friedrich, García-Orcoyen Tormo, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Hermange, Hortefeux, Inglewood, Kirkhope, Maat, Parish, Perry, Pirker, Provan, Rack, Sacrédeus, Scallon, Schaffner, Schierhuber, Stenmarck, Stenzel, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wachtmeister

PSE: Ceyhun

UEN: Fitzsimons, Marchiani, Thomas-Mauro

Against: 375

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Nordmann, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella, Speroni

PPE-DE: Almeida Garrett, Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Boursanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Kastler, Keppelhoff-Wiechert, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Píscarreta, Podestà, Posselt, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant,

Thursday 22 April 2004

Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Hyland, Muscardini, Mussa, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 7

ELDR: Paulsen

GUE/NGL: Krivine, Sylla

NI: Borghesio, Martin Hans-Peter

PSE: Andersson, Theorin

15. Wynn report A5-0268/2004

Paragraph 10

For: 384

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

NI: Beysen, Bonino, Dell'Alba, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Elles, Fernández Martín, Ferrer, Fiori, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Perry, Pirker, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Ferreira, Fruteau, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint,

Thursday 22 April 2004

Hänsch, Haug, Hazan, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Piecyk, Pittella, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Wiersma, Wynn, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, Mayol i Raynal, Onesta, Rod, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori

Against: 74

EDD: Belder, Blokland, van Dam

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Berthu, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Böge, von Boetticher, Ebner, Ferri, Flemming, Gutiérrez-Cortines, Jeggle, Oreja Arburúa, Pérez Álvarez, Piscarreta, Schmitt, van Velzen

PSE: Adam, Cashman, Corbett, Duhamel, Fava, Ford, Garot, Gill, Honeyball, Howitt, Hughes, Kefler, Kinnock, Koukiadis, Kuhne, Lund, McCarthy, McNally, Marinho, Martin David W., Medina Ortega, Miller, Moraes, Myller, O'Toole, Patrie, Pérez Royo, Poignant, Read, Savary, Schmid Gerhard, Simpson, Skinner, Stihler, Swiebel, Theorin, Valenciano Martínez-Orozco, Watts, Weiler, Whitehead, Zorba

UEN: Fitzsimons

Verts/ALE: Lagendijk, Nogueira Román, Ortuondo Larrea, Rühle, Wyn

Abstention: 6

GUE/NGL: Krivine, Schröder Ilka, Vachetta

NI: Borghezio, Martin Hans-Peter

Verts/ALE: Gahrton

16. Wynn report A5-0268/2004

Amendment 10

For: 92

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Esclopé, Kuntz, Saint-Josse, Sandbæk

ELDR: Riis-Jørgensen

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

PPE-DE: Atkins, Ayuso González, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Helmer, Herranz García, Inglewood, Kirkhope, Maat, Parish, Perry, Provan, Purvis, Sacrédeus, Santer, Scallon, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

Thursday 22 April 2004

PSE: Dehousse, Goebbels, Thorning-Schmidt

UEN: Fitzsimons, Marchiani, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Mayol i Raynal

Against: 359

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Seppänen

NI: Berthu, Beysen, Ilgenfritz, Kronberger, de La Perriere, Souchet, Speroni

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Hyland, Muscardini, Mussa

Verts/ALE: Aaltonen, Ahern, Breyer, Buitenweg, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Maes, Onesta, Ortuondo Larrea, Rühle, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

Abstention: 18

GUE/NGL: Krivine

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Martin Hans-Peter, Stirbois

Verts/ALE: Boumediene-Thiery, Duthu, Flautre, Jonckheer, Lucas, Nogueira Román, Rod, Schörling, Turmes, Wuori

Thursday 22 April 2004

17. Wynn report A5-0268/2004**Amendment 11****For: 49****EDD:** Abitbol, Andersen, Kuntz**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Sylla, Uca, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso**PPE-DE:** Ferrer**PSE:** Goebbels, Vairinhos**UEN:** Caullery, Marchiani, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Flautre, Isler Béguin, Jonckheer, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Turmes**Against: 391****EDD:** Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Frahm, Krarup, Schmid Herman, Seppänen, Sjöstedt**NI:** Beysen, Bonino, Dell'Alba, Dupuis, Ilgenfritz, Kronberger, Pannella, Speroni**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hernández Mollar, Herranz García, Hieronymi, Horteaux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pírker, Píscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano,

Thursday 22 April 2004

Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Gahrton, Graefe zu Baringdorf, Lagendijk, Lambert, Lannoye, Maes, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

Abstention: 31

EDD: Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Krivine, Schröder Ilka, Vachetta

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Martin Hans-Peter, Souchet, Stirbois

UEN: Angelilli, Camre, Crowley, Fitzsimons, Hyland, Muscardini, Mussa

Verts/ALE: Ahern, Boumediene-Thiery, Duthu, Frassoni, Lucas, Rod, Wuori

18. Wynn report A5-0268/2004

Amendment 18

For: 82

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

ELDR: Maaten, Malmström, Manders, Mulder, Rousseaux, Schmidt

GUE/NGL: Cossutta, Di Lello Finuoli, Frahm, Herzog, Krarup, Meijer, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Claeys, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet, Stirbois

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, De Veyrac, Dover, Flemming, Florenz, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Hermange, Hortefeux, Inglewood, Kirkhope, Lehne, Morillon, Musotto, Parish, Perry, Pirker, Provan, Rack, Rübig, Sacrédeus, Scallon, Schaffner, Stenmarck, Stenzel, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wachtmeister

UEN: Marchiani, Thomas-Mauro

Against: 381

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Nordmann, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Dary, Fiebiger, Figueiredo, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella, Speroni

PPE-DE: Almeida Garrett, Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Boursanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin,

Thursday 22 April 2004

Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Abstention: 4

ELDR: Paulsen

NI: Martin Hans-Peter

PSE: Andersson, Theorin

19. Wynn report A5-0268/2004

Paragraph 17

For: 397

EDD: Abitbol, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête,

Thursday 22 April 2004

Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Caullery, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Against: 58

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

NI: Berthu, Beysen, Claeys, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Cesaro, Chichester, Corrie, Deva, Dover, Ebner, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Konrad, Musotto, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Scapagnini, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

PSE: Ford, Marinho

Verts/ALE: Graefe zu Baringdorf

Abstention: 9

EDD: Kuntz

ELDR: Dybkjær

GUE/NGL: Krivine, Schröder Ilka, Vachetta

NI: Garaud

UEN: Camre, Marchiani, Thomas-Mauro

Thursday 22 April 2004

20. Wynn report A5-0268/2004**Amendment 16****For: 30****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Maaten, Manders, Mulder**GUE/NGL:** Di Lello Finuoli, Frahm, Krarup, Meijer, Schmid Herman, Seppänen, Sjöstedt**NI:** Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Stirbois**PPE-DE:** Dell'Utri, Maat**PSE:** Marinho**UEN:** Fitzsimons**Against: 431****EDD:** Abitbol, Kuntz, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Malmström, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Sylla, Uca, Vachetta, Vinci**NI:** Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Gorostiaga Atxalandabaso, Pannella, Speroni**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fournou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi,

Thursday 22 April 2004

dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

GUE/NGL: Krivine

NI: Borghezio, Martin Hans-Peter, Souchet

21. Wynn report A5-0268/2004

Amendment 13

For: 60

EDD: Andersen, Bonde, Sandbæk

ELDR: Maaten, Malmström, Manders, Mulder, Schmidt

NI: Bonino, Dell'Alba, Dupuis, Pannella

PPE-DE: Ferrer, Schaffner, Schwaiger, Wijkman

PSE: Aguiriano Nalda, Aparicio Sánchez, Berès, Campos, Carlotti, Cerdeira Morterero, Dehousse, Désir, Díez González, Dührkop Dührkop, Duhamel, Ferreira, Fruteau, Garot, Gebhardt, Gillig, Goebbels, Guy-Quint, Haug, Hazan, Izquierdo Collado, Izquierdo Rojo, Karamanou, Kreissl-Dörfler, Lalumière, Leinen, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Obiols i Germà, Pérez Royo, Poignant, Rocard, Sauquillo Pérez del Arco, Savary, Sornosa Martínez, Valenciano Martínez-Orozco, Weiler, Zrihen

UEN: Fitzsimons

Against: 391

EDD: Abitbol, Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Ilgenfritz, Kronberger, de La Perriere, Souchet, Speroni

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Boursanges, Bowis, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Elles, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle,

Thursday 22 April 2004

Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carnero González, Casaca, Cashman, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Duin, El Khadraoui, Fava, Ford, Ghilardotti, Gill, Glante, Görlach, Gröner, Honeyball, Howitt, Hughes, van Hulten, Iivari, Jöns, Junker, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lange, Lavarra, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Miller, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Camre, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 12

GUE/NGL: Krivine

NI: Borghesio, Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martin Hans-Peter, Stirbois

Verts/ALE: Ortuondo Larrea, Schörling

22. Wynn report A5-0268/2004

Amendment 5

For: 313

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk

ELDR: André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Wallis, Watson

GUE/NGL: Frahm, Krarup, Meijer, Schmid Herman, Seppänen, Sjöstedt, Sylla

NI: Bonino, Claeys, Dell'Alba, Dillen, Dupuis, Gollnisch, Lang, Pannella, Stirbois

PPE-DE: Almeida Garrett, Andria, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Cesaro, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Gahler, García-Margallo y Marfil, Gawronski, Glase, Goepel, Gomolka, Grosch, Grossetête, Hatzidakis, Hermange, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Kläß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lehne, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Nassauer, Oomen-Ruijten, Oostlander, Pack, Pex, Pirker, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stenzel, Sudre, Tajani, Theato, Thyssen, van Velzen, Vila Abelló, Vlasto, Wieland, Wijkman, Wuermeling, Zimmerling, Zissener

Thursday 22 April 2004

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, Duin, El Khadraoui, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wynn

Against: 139

EDD: Abitbol, Bernié, Butel, Esclopé, Kuntz, Saint-Josse

ELDR: Andreasen, Busk, Jensen, Pesälä, Pohjamo, Riis-Jørgensen, Virrankoski

GUE/NGL: Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Figueiredo, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Garaud, Ilgenfritz, de La Perriere, Souchet, Speroni

PPE-DE: Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bourlanges, Bowis, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Corrie, Dell'Utri, De Sarnez, Deva, Dover, Elles, Foster, Friedrich, Galeote Quecedo, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Goodwill, Graça Moura, Grönfeldt Bergman, Gutiérrez-Cortines, Hannan, Harbour, Helmer, Hernández Mollar, Herranz García, Inglewood, Kaldí, Kastler, Kirkhope, Korhola, Lamassoure, Lechner, Liese, Maat, Martin Hugues, Matikainen-Kallström, Naranjo Escobar, Nisticò, Ojeda Sanz, Oreja Arburúa, Parish, Pérez Álvarez, Perry, Píscarreta, Podestà, Provan, Purvis, Sacrédeus, Scallon, Sommer, Stenmarck, Stevenson, Stockton, Suominen, Tannock, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Zappalà

PSE: Vairinhos

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Jonckheer, Onesta, Turmes

Abstention: 10

GUE/NGL: Alyssandrakis, Korakas, Krivine, Patakis

NI: Borghezio, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Musotto, Santer, Zacharakis

Thursday 22 April 2004

23. Wynn report A5-0268/2004**Paragraph 36****For: 409****EDD:** Abitbol, Andersen, Bonde, Kuntz, Mathieu, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz**NI:** Berthu, Beysen, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Souchet**PPE-DE:** Almeida Garrett, Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Angelilli, Caullery, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Against: 45

EDD: Belder, Blokland, Butel, van Dam

GUE/NGL: Vachetta

NI: Speroni

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Stenmarck, Stevenson, Stockton, Tannock, Twinn, Van Orden, de Veyrinas, Villiers, Wachtmeister, Wijkman

PSE: Bowe, Kuhne, Volcic

UEN: Camre, Marchiani

Abstention: 14

EDD: Bernié, Esclopé, Saint-Josse

GUE/NGL: Krivine

NI: Bonino, Borghezio, Claeys, Dillen, Dupuis, Gollnisch, Lang, Martin Hans-Peter, Stirbois

PPE-DE: Konrad

24. Wynn report A5-0268/2004

Amendment 19

For: 69

EDD: Andersen, Bernié, Bonde, Butel, Esclopé, Saint-Josse, Sandbæk

ELDR: Maaten, Malmström, Manders, Mulder, Paulsen, Schmidt

GUE/NGL: Frahm, Krarup, Meijer, Schmid Herman, Seppänen, Sjöstedt

NI: Berthu, Claeys, Dillen, Garaud, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Brok, Bushill-Matthews, Callanan, Cesaro, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Hermange, Inglewood, Parish, Perry, Provan, Sacrédeus, Sartori, Scallon, Stenmarck, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wachtmeister, Wijkman, Zacharakis

PSE: Marinho

Verts/ALE: Gahrton

Against: 364

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Nordmann, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

Thursday 22 April 2004

PPE-DE: Almeida Garrett, Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Píscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhan, Corbey, Dehousse, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hughes, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassonni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 35

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

ELDR: Väyrynen

GUE/NGL: Krivine

NI: Borghezio, Martin Hans-Peter

PPE-DE: Purvis

PSE: Adam, Cashman, Corbett, Ford, Gill, Honeyball, Howitt, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, O'Toole, Read, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

UEN: Thomas-Mauro

Verts/ALE: Schörling

Thursday 22 April 2004

25. Wynn report A5-0268/2004

Amendment 21

For: 99

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

NI: Ilgenfritz

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Cesaro, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Hermange, Inglewood, Kirkhope, Parish, Perry, Provan, Sacrédeus, Scallon, Schaffner, Schwaiger, Stenmarck, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wachtmeister, Wijkman

PSE: Adam, Bowe, Cashman, Corbett, Ford, Gill, Honeyball, Howitt, Hughes, Kinnock, McCarthy, McNally, Martin David W., Miller, Read, Simpson, Skinner, Stihler, Titley, Watts, Weiler, Whitehead, Wynn

Against: 363

EDD: Abitbol, Bernié, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Nordmann

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, Pannella, Stirbois

PPE-DE: Almeida Garrett, Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klač, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Píscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Roving, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Wiersma, Zorba, Zrihen

Thursday 22 April 2004

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 9

GUE/NGL: Krivine, Schröder Ilka

NI: Berthu, Borghezio, de La Perriere, Martin Hans-Peter, Souchet, Speroni

PPE-DE: Purvis

26. Wynn report A5-0268/2004

Amendment 22

For: 153

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

GUE/NGL: Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

NI: Berthu, Bonino, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Ilgenfritz, Kronberger, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Harbour, Helmer, Hermange, Inglewood, Kirkhope, Parish, Perry, Sacrédeus, Scallan, Schaffner, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wijkman

PSE: Adam, Bowe, Cashman, Corbett, Dehousse, Ford, Gill, Honeyball, Howitt, Hughes, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, O'Toole, Piecyk, Read, Simpson, Skinner, Stihler, Swiebel, Titley, Vairinhos, Watts, Whitehead, Wynn

UEN: Angelilli, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 307

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Beysen, Gorostiaga Atxalandabaso

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hatzidakis,

Thursday 22 April 2004

Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wiermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Camre, Caullery, Marchiani

Verts/ALE: Boumediene-Thiery, Ferrández Lezaun, Graefe zu Baringdorf

Abstention: 9

GUE/NGL: Krivine, Schröder Ilka, Vachetta

NI: Borghezio, Gollnisch, Martin Hans-Peter

PPE-DE: Purvis

Verts/ALE: Jonckheer, Ortuondo Larrea

27. Wynn report A5-0268/2004

Visa 4

For: 359

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Vallvé, Virrankoski, Wallis, Watson

NI: Beysen, Bonino, Dell'Alba, Dupuis, Ilgenfritz, Kronberger, Martin Hans-Peter, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo,

Thursday 22 April 2004

Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Crowley, Hyland, Muscardini, Mussa

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 96

EDD: Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Kuntz, Sandbæk

GUE/NGL: Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perrière, Souchet, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Cesaro, Chichester, Corrie, Deva, Dover, Elles, Foster, Gargani, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Schleicher, Smet, Stevenson, Stockton, Tannock, Twinn, Van Orden, van Velzen, Villiers

PSE: Izquierdo Collado

UEN: Camre, Caullery, Fitzsimons, Marchiani, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Gahrton

Abstention: 9

EDD: Saint-Josse

ELDR: Väyrynen

GUE/NGL: Krivine, Schröder Ilka

NI: Borghezio, Speroni

PPE-DE: Konrad

Verts/ALE: Rod, Schörling

Thursday 22 April 2004

28. Hatzidakis report A5-0272/2004**Amendment 27****For: 46****EDD:** Andersen, Bonde, Sandbæk**GUE/NGL:** Alyssandrakis, Frahm, Korakas, Krarup, Meijer, Patakis, Schmid Herman, Seppänen**NI:** Ilgenfritz, Kronberger**PSE:** Marinho**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn**Against: 410****EDD:** Belder, Blokland, van Dam, Mathieu**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebig, Figueiredo, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Bonino, Borghesio, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos,

Thursday 22 April 2004

Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Abstention: 12

EDD: Abitbol, Bernié, Butel, Esclopé, Kuntz, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PSE: Dehousse

29. Hatzidakis report A5-0272/2004

Amendment 32

For: 97

EDD: Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Saint-Josse

ELDR: Dybkjær

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger

PPE-DE: De Veyrac, Ferri, Flemming, Lamassoure, Martin Hugues, Schierhuber, de Veyrinas

PSE: Dehousse, Lund, Marinho, Moraes, Vairinhos

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 360

EDD: Abitbol, Andersen, Bonde, Kuntz, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

NI: Berthu, Beysen, Bonino, Dell'Alba, Dupuis, Garaud, de La Perriere, Pannella, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bøge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, Dover, Ebner, Elles, Fernández Martín, Ferrer, Fiori, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver,

Thursday 22 April 2004

Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Ferrández Lezaun

Abstention: 5

NI: Borghezio, Gollnisch, Lang, Martin Hans-Peter, Speroni

30. Hatzidakis report A5-0272/2004

Amendment 37

For: 64

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

ELDR: Busk, Paulsen, Schmidt

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Arvidsson, Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Stenmarck, Stevenson, Stockton, Tannock, Twinn, Van Orden, Vatanen, Villiers, Wachtmeister

PSE: Marinho

Verts/ALE: Evans Jillian, Gahrton, Mayol i Raynal

Against: 382

EDD: Abitbol, Kuntz, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

Thursday 22 April 2004

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

PPE-DE: Almeida Garrett, Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushman, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcuyo Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thoring-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 27

GUE/NGL: Figueiredo

NI: Martin Hans-Peter

PSE: Adam, Bowe, Cashman, Corbett, Ford, Gill, Honeyball, Howitt, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, O'Toole, Read, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

Verts/ALE: Schörling

Thursday 22 April 2004

31. Garriga Polledo report A5-0269/2004**Amendment 1****For: 77****EDD:** Andersen, Bonde, Sandbæk**GUE/NGL:** Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Papayannakis, Puerta, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella**PPE-DE:** Maat, Trakatellis**PSE:** McNally, Marinho, Vairinhos**UEN:** Fitzsimons**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 377****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Korakas, Naïr, Patakis**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Ilgenfritz, Kronberger, de La Perriere, Souchet, Speroni**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, McCartin, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann,

Thursday 22 April 2004

Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Abstention: 7

EDD: Bernié, Esclopé, Saint-Josse

GUE/NGL: Herzog, Krivine, Schröder Ilka

NI: Martin Hans-Peter

32. Garriga Polledo report A5-0269/2004

Paragraph 20

For: 343

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Frahm, Meijer, Schmid Herman, Seppänen, Sjöstedt, Sylla

NI: Beysen, Dell'Alba, Dupuis, Ilgenfritz, Kronberger, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushman, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos,

Thursday 22 April 2004

Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Mussa

Verts/ALE: Duthu, Gahrton, Graefe zu Baringdorf, Lannoye, Wyn

Against: 108

EDD: Andersen, Bonde, Sandbæk

ELDR: Jensen

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Modrow, Nair, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder Ilka, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Claeys, Gorostiaga Atxalandabaso, Lang, de La Perriere, Speroni

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Mauro, Parish, Perry, Provan, Purvis, Scallon, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wieland

PSE: Zorba

UEN: Angelilli, Camre, Caullery, Fitzsimons, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schöring, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori

Abstention: 13

EDD: Abitbol, Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Krarup

NI: Berthu, Garaud, Gollnisch, Martin Hans-Peter, Souchet, Stirbois

UEN: Hyland

33. Garriga Polledo report A5-0269/2004

Paragraph 21

For: 413

EDD: Andersen, Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Boudjenah, Caudron, Fiebiger, Figueiredo, Manisco, Markov, Modrow, Puerta, Sylla, Uca, Vinci, Wurtz

NI: Beysen, Bonino, Borghezio, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Pannella, Souchet, Speroni

Thursday 22 April 2004

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhan, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Caullery, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 31

GUE/NGL: Alyssandrakis, Bergaz Conesa, Chountis, Cossutta, Dary, Di Lello Finuoli, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Meijer, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta

NI: Gollnisch, Stirbois

PPE-DE: Chichester

UEN: Camre, Marchiani

Verts/ALE: Boumediene-Thiery, Lucas, Rod

Abstention: 8

EDD: Abitbol, Bonde, Sandbæk

NI: Berthu, Claeys, Dillen, Garaud, Martin Hans-Peter

Thursday 22 April 2004

34. Garriga Polledo report A5-0269/2004**Paragraph 22****For: 406****EDD:** Andersen, Bonde, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci**NI:** Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Ilgenfritz, Kronberger, Pannella**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bremmer, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhan, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Angelilli, Caullery, Crowley, Fitzsimons, Hyland, Muscardini, Mussa**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn**Against: 44****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Speroni

Thursday 22 April 2004

PPE-DE: Atkins, Balfe, Bowis, Brok, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Helmer, Hernández Mollar, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Scallan, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

UEN: Camre, Marchiani, Thomas-Mauro

Abstention: 11

GUE/NGL: Alyssandrakis, Korakas, Krivine, Patakis, Schröder Ilka

NI: Berthu, Gorostiaga Atxalandabaso, Martin Hans-Peter, Souchet, Stirbois

UEN: Ribeiro e Castro

35. Garriga Polledo report A5-0269/2004

Amendment 5, 1st part

For: 414

EDD: Andersen, Bernié, Bonde, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Martin Hans-Peter, Pannella, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos,

Thursday 22 April 2004

Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Caullery, Crowley, Marchiani, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 48

EDD: Abitbol, Belder, Blokland, van Dam

ELDR: Busk, Jensen, Riis-Jørgensen

GUE/NGL: Alyssandrakis, Korakas, Krarup, Patakis

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Helmer, Hermange, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Roving, Scallon, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

UEN: Camre

Abstention: 5

GUE/NGL: Krivine, Schröder Ilka

UEN: Muscardini, Mussa, Ribeiro e Castro

36. Garriga Polledo report A5-0269/2004

Amendment 5, 2nd part

For: 182

EDD: Andersen, Bonde, Kuntz, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Maaten, Malmström, Manders, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

NI: Bonino, Dell'Alba, Dupuis, de La Perriere, Pannella

PPE-DE: Florenz

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Caullery, Crowley, Fitzsimons, Marchiani, Muscardini, Mussa, Thomas-Mauro

Thursday 22 April 2004

Against: 254**EDD:** Belder, Blokland, van Dam, Mathieu**ELDR:** Busk, Jensen, Nordmann, Riis-Jørgensen**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Beysen, Borghezio, Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, Speroni, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Purvis, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wiermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Vairinhos**UEN:** Camre**Verts/ALE:** Aaltonen, Boumediene-Thiery, Buitenweg, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Abstention: 11****EDD:** Abitbol, Bernié, Butel, Esclopé, Saint-Josse**NI:** Berthu, Garaud, Martin Hans-Peter, Souchet**Verts/ALE:** Jonckheer, Mayol i Raynal**37. Garriga Polledo report A5-0269/2004****Amendment 15****For: 143****EDD:** Abitbol, Andersen, Bonde, Kuntz, Sandbæk**ELDR:** Di Pietro, Formentini, Procacci, Rutelli**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Thursday 22 April 2004

NI: Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Pannella, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Florenz, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Podestà, Provan, Purvis, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

PSE: Duhamel, Goebbels, Keßler, Lund, Vairinhos

UEN: Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 318

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Schmidt, Väyrynen, Virrankoski, Wallis, Watson

NI: Beysen

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushman, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli

Thursday 22 April 2004

Abstention: 6**EDD:** Bernié, Butel, Esclopé, Saint-Josse**NI:** Berthu, Souchet**38. Garriga Polledo report A5-0269/2004****Paragraph 26****For: 446****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Bonino, Borghezio, Dell'Alba, Dupuis, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Martin Hans-Peter, Pannella, Souchet, Speroni**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Koch, Korhola, Langen, Langenhagen, Laschet, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Pérez Álvarez, Perry, Pex, Pírker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kessler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 7

NI: Claeys, Dillen, Gollnisch, Lang, Stirbois

PPE-DE: Stockton

PSE: Swiebel

Abstention: 6

EDD: Bernié, Butel, Esclopé, Saint-Josse

GUE/NGL: Krivine, Schröder Ilka

39. Garriga Polledo report A5-0269/2004

Paragraph 29

For: 370

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

NI: Beysen, Bonino, Dell'Alba, Dupuis, Ilgenfritz, Kronberger, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlich, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella,

Thursday 22 April 2004

Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Caullery, Marchiani, Muscardini, Mussa

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 88

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

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Scallon, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

PSE: Vairinhos

UEN: Camre, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Gahrton

Abstention: 10

GUE/NGL: Puerta

NI: Berthu, Borghezio, Martin Hans-Peter, Souchet, Speroni

UEN: Crowley, Fitzsimons, Hyland

Verts/ALE: Lambert

40. Kuckelkorn report A5-0236/2004

Amendment 1

For: 125

EDD: Bernié, Butel, Esclopé, Saint-Josse

ELDR: André-Léonard, De Clercq, Newton Dunn, Nordmann, Vallvé

GUE/NGL: Dary, Manisco, Modrow, Schröder Ilka, Vinci

NI: Berthu, Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Gollnisch, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois

Thursday 22 April 2004

PPE-DE: Andria, Atkins, Balfe, Banotti, Bartolozzi, Bastos, Bowis, Bushill-Matthews, Callanan, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Dell'Utri, Deprez, Descamps, Deva, Dover, Elles, Fernández Martín, Foster, Fourtou, Gawronski, Goodwill, Gutiérrez-Cortines, Harbour, Helmer, Hermange, Inglewood, Kirkhope, Korhola, Kratsa-Tsagaropoulou, Lisi, Lulling, McCartin, Marques, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xavier, Menrad, Nisticò, Parish, Perry, Podestà, Provan, Purvis, Rovsing, Santer, Santini, Scallon, Scapagnini, Schaffner, Schwaiger, Stevenson, Stockton, Tannock, Trakatellis, Twinn, Van Orden, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wijkman, Zacharakis, Zappalà

PSE: Bowe, Campos, Dehousse, Lage, Marinho, Paasilinna, Rothley, dos Santos, Soares, Sousa Pinto

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Ahern, Mayol i Raynal, Nogueira Román, Ortuondo Larrea, Rod, Wyn

Against: 327

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Mathieu, Sandbæk

ELDR: Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Jensen, Maaten, Malmström, Mulder, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Meijer, Nair, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Wurtz

NI: Beysen, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Martin Hans-Peter

PPE-DE: Almeida Garrett, Arvidsson, Ayuso González, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Brok, Brunetta, Camisón Asensio, Daul, De Sarnez, De Veyrac, Ebner, Ferrer, Ferri, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Maat, Mann Thomas, Mantovani, Martens, Matikainen-Kallström, Méndez de Vigo, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Sartori, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vila Abelló, Wenzel-Perillo, Wieland, Wuermeling, Zimmerling, Zissener

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Ruffolo, Sacconi, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Stihler, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori

Thursday 22 April 2004

Abstention: 16**EDD:** Abitbol, Kuntz**ELDR:** Andreasen, Manders**GUE/NGL:** Korakas, Krivine, Papayannakis**NI:** Garaud**PPE-DE:** Schierhuber**PSE:** Carrilho, Martin David W., Moraes, Swiebel, Vairinhos**Verts/ALE:** Boumediene-Thiery, Flautre**41. Randzio-Plath report A5-0258/2004****Amendment 8****For: 118****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Saint-Josse, Sandbæk**ELDR:** Boogerd-Quaak, van den Bos**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Borghezio, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Speroni**PPE-DE:** Atkins, Balfe, Bowis, Bremmer, Bushill-Matthews, Callanan, Chichester, Corrie, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Lamassoure, Parish, Perry, Provan, Purvis, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers**PSE:** Dehousse, Martínez Martínez, Vairinhos**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn**Against: 341****EDD:** Kuntz, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**NI:** Berthu, Beysen, Claeys, Garaud, Gollnisch, de La Perriere, Martin Hans-Peter, Souchet, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, Bourlanges, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Ebner, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà,

Thursday 22 April 2004

Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Díez González, Dührkop, Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Ferrández Lezaun

Abstention: 5

GUE/NGL: Alyssandrakis, Korakas, Patakis, Schröder Ilka

Verts/ALE: Rühle

42. Randzio-Plath report A5-0258/2004

Amendment 3

For: 453

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Borghezio, Claeys, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perrière, Martin Hans-Peter, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Böge, von Boetticher, Boursanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Coelho, Corrie, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzemowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà,

Thursday 22 April 2004

Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wieland, Wijkman, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 17

EDD: Kuntz

NI: Bonino, Dell'Alba, Dillen, Dupuis, Pannella

PPE-DE: Bartolozzi, Berend, Deprez, Deva, Grosch, Konrad, van Velzen, Wachtmeister, Wenzel-Perillo, Wuermeling

PSE: Marinho

Abstention: 3

GUE/NGL: Alyssandrakis, Patakis

PPE-DE: Goepel

43. Randzio-Plath report A5-0258/2004

Paragraph 8

For: 380

EDD: Andersen, Belder, Blokland, Bonde, Butel, van Dam, Esclopé, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Markov, Puerta, Schmid Herman, Seppänen, Sjöstedt, Sylla

NI: Beysen, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Speroni

Thursday 22 April 2004

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtoul, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gawronski, Gil-Robles, Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 24

EDD: Bernié, Kuntz, Saint-Josse

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Stirbois

PPE-DE: Gargani

PSE: Marinho

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Abstention: 65

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigel, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schröder Ilka, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Atkins, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Foster, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Provan, Purvis, Scallan, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

PSE: Dehousse

Thursday 22 April 2004

44. Randzio-Plath report A5-0258/2004**Amendment 1****For: 131****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Kuntz, Saint-Josse, Sandbæk**ELDR:** Dybkjær**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigger, Figueiredo, Frahm, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, de La Perriere, Martin Hans-Peter, Pannella, Souchet**PPE-DE:** Andria, Atkins, Bowis, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Pack, Parish, Perry, Provan, Purvis, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers, Wijkman**PSE:** Dehousse, Paasilinna, Vairinhos**UEN:** Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Thomas-Mauro**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori**Against: 326****EDD:** Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**NI:** Beysen, Ilgenfritz, Kronberger**PPE-DE:** Almeida Garrett, Arvidsson, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Bremmer, Brunetta, Camisón Asensio, Cardoso, Cesaro, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann,

Thursday 22 April 2004

Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Abstention: 15

GUE/NGL: Bordes, Cauquil, Herzog, Laguiller, Patakis, Puerta

NI: Borghezio, Claeys, Dillen, Garaud, Gollnisch, Lang, Speroni, Stirbois

Verts/ALE: Ferrández Lezaun

45. B5-0218/2004 – RC – Eurostat Amendment 3

For: 247

EDD: Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Kuntz, Mathieu, Saint-Josse, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Bonino, Borghezio, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bowis, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Corrie, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggel, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Méndez de Vigo, Menrad, Montfort, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirkker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Gahrton, Lucas

Against: 209

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

Thursday 22 April 2004

GUE/NGL: Cossutta**NI:** Claeys**PPE-DE:** Bourlanges, De Sarnez, Fourtou, Morillon

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori

Abstention: 4**GUE/NGL:** Krivine, Schröder Ilka**NI:** Martin Hans-Peter**PSE:** Kinnock**46. B5-0218/2004 – RC – Eurostat****Amendment 1****For: 131****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Kuntz, Saint-Josse, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Martin Hans-Peter, Souchet, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Stevenson, Tannock, Twinn, Van Orden, Villiers, Wijkman

PSE: Lund, Thorning-Schmidt**UEN:** Angelilli, Camre, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Against: 322

EDD: Mathieu

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Watson

GUE/NGL: Cossutta

NI: Beysen, Bonino, Dell'Alba, Dupuis, Pannella

PPE-DE: Almeida Garrett, Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Kaldí, Karas, Kastler, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Thomas-Mauro

Verts/ALE: Frassoni

Abstention: 5

GUE/NGL: Kaufmann

NI: Garaud

PSE: Dehousse

Verts/ALE: Nogueira Román, Ortuondo Larrea

Thursday 22 April 2004

47. B5-0218/2004 – RC – Eurostat**Resolution****For: 271**

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

ELDR: Andreasen, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Lund, Rothley

UEN: Angelilli, Camre, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Duthu, Evans Jillian, Gahrton, Graefe zu Baringdorf, Lannoye, Lucas, Mayol i Raynal, Nogueira Román, Staes, Voggenhuber, Wuori, Wyn

Against: 194

ELDR: André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Fleisch, Formentini, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Wallis, Watson

PPE-DE: Maat

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella,

Thursday 22 April 2004

Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Ferrández Lezaun, Flautre, Frassoni, Isler Béguin, Jonckheer, Lagendijk, Lambert, Maes, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Turmes

Abstention: 7

ELDR: Busk, Calò, Di Pietro

GUE/NGL: Kaufmann, Puerta

NI: Martin Hans-Peter

PPE-DE: Fourtou

48. Boogerd-Quaak report A5-0230/2004

Paragraph 1

For: 245

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Pataakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swoboda, Terrón i Cusi, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Against: 19**EDD:** Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**NI:** Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**UEN:** Crowley**Abstention: 13****ELDR:** Manders**NI:** Beysen, Bonino, Dell'Alba, Garaud, Ilgenfritz, Kronberger, Pannella**PPE-DE:** Cushnahan, Ebner, Sacrédeus, Scallon, Wuermeling**49. Boogerd-Quaak report A5-0230/2004****Paragraph 2****For: 255****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 20****EDD:** Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**ELDR:** Rousseaux**NI:** Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

Thursday 22 April 2004

PPE-DE: Lamassoure

UEN: Crowley

Abstention: 15

EDD: Abitbol

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud, Ilgenfritz, Kronberger

PPE-DE: Cushnahan, Ebner, Knolle, Mayer Hans-Peter, Sacrédeus, Scallon, Suominen, Vatanen

50. Boogerd-Quaak report A5-0230/2004

Paragraph 3

For: 258

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Hortefeux

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 14

EDD: Abitbol, Kuntz

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Stirbois

PPE-DE: Kaldí, Lamassoure

UEN: Crowley

Thursday 22 April 2004

Abstention: 11**EDD:** Butel**ELDR:** Manders**NI:** Beysen, Garaud, Ilgenfritz, Kronberger**PPE-DE:** Ebner, Sacrédeus, Scallon, Suominen, Vatanen**51. Boogerd-Quaak report A5-0230/2004****Paragraph 4****For: 249****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Kaldí, Lamassoure**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 15****EDD:** Abitbol, Bernié, Esclopé, Kuntz, Saint-Josse**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**UEN:** Crowley

Thursday 22 April 2004

Abstention: 13

EDD: Butel

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud, Ilgenfritz, Kronberger

PPE-DE: Cushnahan, Ebner, Sacrédeus, Scallon, Suominen, Vatanen

52. Boogerd-Quaak report A5-0230/2004

Paragraph 5

For: 263

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Kaldí, Lamassoure

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 11

EDD: Kuntz

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

UEN: Crowley

Thursday 22 April 2004

Abstention: 14**EDD:** Abitbol, Butel**ELDR:** Manders**NI:** Beysen, Garaud, Ilgenfritz, Kronberger**PPE-DE:** Cushnahan, Ebner, Mayer Hans-Peter, Sacrédeus, Scallon, Suominen, Vatanen**53. Boogerd-Quaak report A5-0230/2004****Paragraph 6****For: 250****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, Duin, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn**Against: 13****EDD:** Abitbol, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Lamassoure**UEN:** Crowley

Thursday 22 April 2004

Abstention: 15

EDD: Butel, Saint-Josse

ELDR: Manders

NI: Beysen, Garaud, Ilgenfritz, Kronberger

PPE-DE: Cushnahan, Ebner, Mayer Hans-Peter, Sacrédeus, Scallon, Suominen, Vatanen

PSE: Mann Erika

54. Boogerd-Quaak report A5-0230/2004

Paragraph 7

For: 263

EDD: Andersen, Belder, Bernié, Blokländ, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 14

EDD: Abitbol, Kuntz

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois

PPE-DE: Kaldí, Lamassoure

UEN: Crowley

Thursday 22 April 2004

Abstention: 17**EDD:** Butel**ELDR:** Manders**GUE/NGL:** Schmid Herman**NI:** Beysen, Garaud, Ilgenfritz, Kronberger**PPE-DE:** Cushnahan, Ebner, Fourtou, Korhola, Maat, Mayer Hans-Peter, Sacrédeus, Scallon, Suominen, Vatanen**55. Boogerd-Quaak report A5-0230/2004****Paragraph 8****For: 259****EDD:** Andersen, Bernié, Bonde, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Kaldí, Lamassoure**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakís, Sousa Pinto, Stihler, Swibel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 17****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley

Thursday 22 April 2004

Abstention: 15

EDD: Butel

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud, Ilgenfritz, Kronberger

PPE-DE: Cushnahan, Ebner, Fourtou, Korhola, Maat, Sacrédeus, Scallon, Suominen

56. Boogerd-Quaak report A5-0230/2004

Paragraph 9

For: 253

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 22

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghesio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Kaldí, Lamassoure, Montfort, Vatanen

UEN: Crowley

Thursday 22 April 2004

Abstention: 13**EDD:** Butel**ELDR:** Manders**NI:** Beysen, Garaud, Ilgenfritz, Kronberger**PPE-DE:** Cushnahan, Ebner, Fourtou, Korhola, Sacrédeus, Scallon, Suominen**57. Boogerd-Quaak report A5-0230/2004****Paragraph 10****For: 258****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Kaldí, Lamassoure, Vatanen**PSE:** Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 12****EDD:** Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley

Thursday 22 April 2004

Abstention: 12

EDD: Abitbol

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Fourtou, Hortefeux, Korhola, Sacrédeus, Scallon, Suominen

58. Boogerd-Quaak report A5-0230/2004

Paragraph 11

For: 251

EDD: Andersen, Bernié, Bonde, Esclopé, Saint-Josse, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Kaldí, Lamassoure, Vatanen

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 13

EDD: Belder, Blokland, van Dam, Kuntz

NI: Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Stirbois

PPE-DE: Montfort

UEN: Crowley

Thursday 22 April 2004

Abstention: 11**EDD:** Abitbol**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Sacrédeus, Scallon, Suominen**59. Boogerd-Quaak report A5-0230/2004****Paragraph 12****For: 245****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 21****EDD:** Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**NI:** Borghezio, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Kaldí, Lamassoure, Montfort, Vatanen**UEN:** Crowley

Thursday 22 April 2004

Abstention: 13

EDD: Butel

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Fourtou, Korhola, McCartin, Sacrédeus, Scallon, Suominen

60. Boogerd-Quaak report A5-0230/2004

Paragraph 13

For: 250

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 19

EDD: Belder, Bernié, Blokland, van Dam, Esclopé, Saint-Josse

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Stirbois

PPE-DE: Kaldí, Lamassoure, Montfort, Vatanen

UEN: Crowley

Thursday 22 April 2004

Abstention: 14**EDD:** Abitbol, Butel, Kuntz**ELDR:** Manders**GUE/NGL:** Krarup**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Sacrédeus, Scallon, Suominen**61. Boogerd-Quaak report A5-0230/2004****Paragraph 14****For: 255****EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 14****EDD:** Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Stirbois**PPE-DE:** Kaldí, Lamassoure, Montfort, Vatanen**UEN:** Crowley

Thursday 22 April 2004

Abstention: 16

EDD: Bernié, Butel, Esclopé, Saint-Josse

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Maat, Sacrédeus, Scallon, Stenmarck, Suominen

62. Boogerd-Quaak report A5-0230/2004

Paragraph 15

For: 250

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 16

EDD: Abitbol, Kuntz

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Kaldí, Lamassoure, Montfort, Vatanen

UEN: Crowley

Thursday 22 April 2004

Abstention: 14**EDD:** Butel**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Ebner, Hortefeux, Korhola, Maat, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen**PSE:** Dehousse**63. Boogerd-Quaak report A5-0230/2004****Paragraph 16****For: 250****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowie, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 18****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghesio, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois**PPE-DE:** Lamassoure, Montfort, Vatanen**UEN:** Crowley

Thursday 22 April 2004

Abstention: 16

EDD: Bernié, Butel, Esclopé, Saint-Josse

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

64. Boogerd-Quaak report A5-0230/2004

Paragraph 17

For: 241

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Wallis, Watson

GUE/NGL: Bergaz Conesa, Bordes, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dupuis, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusi, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 18

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

NI: Borghezio, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois

PPE-DE: Lamassoure, Montfort

UEN: Crowley

Thursday 22 April 2004

Abstention: 15**EDD:** Bernié, Butel, Esclopé, Saint-Josse**ELDR:** Manders**NI:** Beysen**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen**65. Boogerd-Quaak report A5-0230/2004****Paragraph 18****For: 253****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Lamassoure**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 17****EDD:** Abitbol, Belder, Blokland, van Dam**NI:** Borghesio, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley

Thursday 22 April 2004

Abstention: 15

EDD: Bernié, Butel, Esclopé, Saint-Josse

ELDR: Manders

NI: Beysen

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

66. Boogerd-Quaak report A5-0230/2004

Paragraph 19

For: 243

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Ferrer

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wynn

Against: 20

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Thursday 22 April 2004

Abstention: 13**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen**67. Boogerd-Quaak report A5-0230/2004****Paragraph 20****For: 245****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz, Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusi, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Cohn-Bendit, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggelhuber, Wuori, Wyn**Against: 15****NI:** Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Gollnisch, Lang, de La Perrière, Pannella, Souchet, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 14****EDD:** Abitbol, Kuntz**ELDR:** Manders**NI:** Beysen**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

68. Boogerd-Quaak report A5-0230/2004

Paragraph 21

For: 240

EDD: Belder, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Vatanen

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 21

EDD: Abitbol, Andersen, Bernié, Blokland, Bonde, Esclopé, Kuntz, Saint-Josse, Sandbæk

GUE/NGL: Krarup

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 13

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

69. Boogerd-Quaak report A5-0230/2004**Paragraph 22****For: 252****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn**Against: 12****EDD:** Kuntz**NI:** Borghesio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 12****ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

70. Boogerd-Quaak report A5-0230/2004

Paragraph 23

For: 244

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Souladakis, Swibel, Swoboda, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 11

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 14

EDD: Abitbol, Kuntz

ELDR: Manders

NI: Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

71. Boogerd-Quaak report A5-0230/2004**Paragraph 24****For: 251**

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 13

EDD: Abitbol

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 14

EDD: Mathieu

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

72. Boogerd-Quaak report A5-0230/2004

Paragraph 25

For: 252

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Vatanen

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wyn

Against: 13

EDD: Abitbol, Kuntz

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 13

EDD: Mathieu

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Stenmarck, Suominen

Thursday 22 April 2004

73. Boogerd-Quaak report A5-0230/2004**Paragraphs 26 to 39****For: 247****EDD:** Andersen, Bonde, Esclopé, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** De Sarnez, Ferrer**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakís, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn**Against: 18****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley**Abstention: 17****EDD:** Bernié, Mathieu, Saint-Josse**ELDR:** Manders**GUE/NGL:** Laguiller**NI:** Beysen**PPE-DE:** Cushnahan, Ebner, Ferber, Hortefaux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

74. Boogerd-Quaak report A5-0230/2004

Paragraph 41

For: 246

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 16

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

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 19

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Ferber, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

75. Boogerd-Quaak report A5-0230/2004**Paragraph 42****For: 240****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter**PPE-DE:** Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggelhuber, Wuori, Wyn**Against: 15****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley**Abstention: 19****EDD:** Bernié, Mathieu, Saint-Josse**ELDR:** Manders**NI:** Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Pannella**PPE-DE:** Cushnahan, Ebner, Ferber, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

76. Boogerd-Quaak report A5-0230/2004

Paragraph 43

For: 242

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 17

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Kuntz, Saint-Josse

NI: Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 14

ELDR: Manders

NI: Beysen, Garaud, Gorostiaga Atxalandabaso

PPE-DE: Cushnahan, Ebner, Ferber, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Stenmarck, Suominen

Thursday 22 April 2004

77. Boogerd-Quaak report A5-0230/2004**Paragraph 44****For: 248****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnoek, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Soulidakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 14****EDD:** Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Stirbois**PPE-DE:** Vatanen**UEN:** Crowley**Abstention: 17****EDD:** Bernié, Esclopé, Saint-Josse**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Ferber, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

78. Boogerd-Quaak report A5-0230/2004
Paragraphs 45 to 52

For: 246

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitengeweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 15

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

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perrière, Souchet, Speroni, Stirbois

UEN: Crowley

Abstention: 21

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Beysen, Bonino, Dell'Alba, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

PSE: Dehousse, Mann Erika

Thursday 22 April 2004

79. Boogerd-Quaak report A5-0230/2004**Paragraph 53****For: 115****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rutelli, Schmidt, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**PPE-DE:** Ferrer**PSE:** van den Berg, Dhaene, El Khadraoui, Fava, Hänsch, Lund, Paasilinna, Paciotti, Poos, Ruffolo, Sacconi, Scheele, Swoboda, Vairinhos, Van Lancker, Vattimo, Volcic, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Flautre, Frassoni, Jonckheer, Lagendijk, Lambert, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 59****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**ELDR:** De Clercq, Formentini, Nordmann, Procacci, Väyrynen**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Bourlanges, De Sarnez, Montfort, Vatanen**PSE:** Adam, Bowe, Cashman, Corbett, Ford, Gill, Glante, Honeyball, Junker, Kindermann, Kinnock, Lage, McAvan, McNally, Moraes, O'Toole, Patrie, Poignant, Read, Rothley, Savary, Soares, Sornosa Martínez, Sousa Pinto, Swiebel, Titley, Watts, Weiler, Whitehead, Wynn**UEN:** Crowley**Verts/ALE:** Duthu, Graefe zu Baringdorf, Isler Béguin, Lannoye, Schörling**Abstention: 106****EDD:** Bernié, Esclopé, Mathieu, Saint-Josse**ELDR:** Manders**GUE/NGL:** Puerta**NI:** Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen**PSE:** Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, Berger, Bösch, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, Ferreira, Fruteau, Garot, Ghilardotti, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Koukiadis, Kreissl-Dörfler, Kuhne, Lalumière, Lange, Lavarra, Leinen, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Pérez Royo, Piecyk, Pittella, Rapkay, Rocard, Roth-Behrendt, Rothe, dos Santos, Sauquillo Pérez del Arco, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Souladakis, Terrón i Cusí, Thorning-Schmidt, Valenciano Martínez-Orozco, Veltroni, Walter, Wiersma, Zorba**Verts/ALE:** Ferrández Lezaun

Thursday 22 April 2004

80. Boogerd-Quaak report A5-0230/2004

Paragraph 54

For: 250

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swibel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 15

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

NI: Borghezio, Claeys, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 18

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Beysen, Garaud, Gorostiaga Atxalandabaso

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

81. Boogerd-Quaak report A5-0230/2004**Paragraph 55****For: 231****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Weiler, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 16****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 15****EDD:** Bernié, Esclopé, Saint-Josse**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

82. Boogerd-Quaak report A5-0230/2004

Paragraph 56

For: 232

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, 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, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 17

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

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 15

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

83. Boogerd-Quaak report A5-0230/2004**Paragraph 57****For: 244****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Jöns, Junker, Karamanou, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 18****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Hannan, Montfort, Vatanen**UEN:** Crowley**Abstention: 15****EDD:** Bernié, Esclopé, Mathieu, Saint-Josse**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

84. Boogerd-Quaak report A5-0230/2004

Paragraph 58

For: 229

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: De Sarnez, Ferrer

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 16

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

NI: Borghezio, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Hannan, Montfort, Vatanen

UEN: Crowley

Abstention: 19

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Pannella

PPE-DE: Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

85. Boogerd-Quaak report A5-0230/2004**Paragraph 59****For: 240****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter**PPE-DE:** Bourlanges, De Sarnez**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Vogenhuber, Wuori, Wyn**Against: 21****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Gollnisch, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois**PPE-DE:** Hannan, Montfort**UEN:** Crowley**Abstention: 15****EDD:** Bernié, Esclopé, Saint-Josse**ELDR:** Manders**GUE/NGL:** Cossutta**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

86. Boogerd-Quaak report A5-0230/2004

Paragraphs 60 to 70

For: 238

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 21

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

NI: Bonino, Borghezio, Claey's, Dell'Alba, Dillen, Dupuis, Gollnisch, Lang, de La Perriere, Pannella, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 18

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Krarup

NI: Beysen, Garaud

PPE-DE: Corrie, Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

87. Boogerd-Quaak report A5-0230/2004**Paragraph 71****For: 243****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakos, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn**Against: 17****EDD:** Abitbol, Belder, Blokland, van Dam, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley**Abstention: 16****EDD:** Bernié, Esclopé, Mathieu, Saint-Josse**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

88. Boogerd-Quaak report A5-0230/2004

Paragraph 72

For: 231

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Ahern, Boumediene-Thiery, Breyer, Duthu, Echerer, Evans Jillian, Frassoni, Graefe zu Baringdorf, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 17

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

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 17

EDD: Bernié, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Krarup

NI: Beysen, Garaud

PPE-DE: Corrie, Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

89. Boogerd-Quaak report A5-0230/2004**Paragraph 73****For: 232****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Ferrer**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn**Against: 14****EDD:** Abitbol, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley**Abstention: 19****EDD:** Mathieu, Saint-Josse**ELDR:** Manders**GUE/NGL:** Alyssandrakis, Korakas, Krarup**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen**Verts/ALE:** Flautre

Thursday 22 April 2004

90. Boogerd-Quaak report A5-0230/2004

Paragraph 74

For: 236

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 19

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 15

EDD: Butel, Mathieu

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud

PPE-DE: Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

91. Boogerd-Quaak report A5-0230/2004**Paragraph 75****For: 232****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 19****EDD:** Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Souchet, Stirbois**PPE-DE:** Hannan, Montfort, Vatanen**UEN:** Crowley**Abstention: 13****EDD:** Butel, Mathieu**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

92. Boogerd-Quaak report A5-0230/2004

Paragraph 76

For: 214

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebigler, Frahm, Kaufmann, Koulourianos, Krivine, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Dehousse, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Glante, Görlach, Gröner, Hänsch, Haug, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Titley, Van Lancker, Vattimo, Veltroni, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 20

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Souchet, Speroni, Stirbois

PPE-DE: Hannan, Montfort, Vatanen

UEN: Crowley

Abstention: 17

EDD: Butel, Mathieu

GUE/NGL: Alyssandrakis, Korakas, Krarup, Patakis

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

93. Boogerd-Quaak report A5-0230/2004**Paragraph 77****For: 227**

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Markov, Meijer, Modrow, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Vatanen

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 19

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

GUE/NGL: Krarup

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Souchet, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 19

EDD: Andersen, Bonde, Butel, Mathieu, Sandbæk

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Korhola, Lamassoure, Laschet, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen, Wijkman

Thursday 22 April 2004

94. Boogerd-Quaak report A5-0230/2004

Paragraph 78

For: 227

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, McAvan, McNally, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Pérez Royo, Pittella, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

Against: 18

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Berthu, Claeys, Dillen, Gollnisch, Lang, Souchet, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 16

EDD: Butel, Mathieu

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Fernández Martín, Korhola, Lamassoure, Laschet, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

95. Boogerd-Quaak report A5-0230/2004**Paragraph 79****For: 207**

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigier, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Ferrer

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Lund, McNally, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Graefe zu Baringdorf, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 14

EDD: Abitbol, Bernié, Blokland, van Dam, Esclopé, Saint-Josse

NI: Berthu, Borghesio, Claeys, Gollnisch, Lang, Souchet, Stirbois

UEN: Crowley

Abstention: 20

EDD: Andersen, Bonde, Butel, Mathieu, Sandbæk

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Dupuis, Garaud

PPE-DE: Cushnahan, Ebner, Fernández Martín, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

96. Boogerd-Quaak report A5-0230/2004

Paragraph 80

For: 232

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Scallon

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Swibel, Swoboda, Terrón i Cusi, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wyn

Against: 20

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

GUE/NGL: Krarup

NI: Berthu, Claeys, Dillen, Gollnisch, Lang, Souchet, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 18

EDD: Butel, Mathieu

ELDR: Manders

GUE/NGL: Alyssandrakis, Patakis

NI: Beysen, Bonino, Dupuis, Garaud

PPE-DE: Cushnahan, Ebner, Fernández Martín, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Stenmarck, Suominen

Thursday 22 April 2004

97. Boogerd-Quaak report A5-0230/2004**Paragraph 81****For: 239****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Ferrer, Vatanen**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wynn**Against: 12****EDD:** Abitbol, Kuntz**NI:** Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, Souchet, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 15****EDD:** Butel, Mathieu**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen, Wijkman

Thursday 22 April 2004

98. Boogerd-Quaak report A5-0230/2004

Paragraph 82

For: 233

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Titley, Vairinhos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wyn

Against: 16

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Saint-Josse

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 14

EDD: Butel

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Ayuso González, Cushnahan, Ebner, Fernández Martín, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck

Thursday 22 April 2004

99. Boogerd-Quaak report A5-0230/2004**Paragraph 83****For: 231****EDD:** Bonde

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

NI: Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 16

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 17

EDD: Andersen, Butel, Mathieu, Sandbæk

ELDR: Manders

GUE/NGL: Krarup

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Fernández Martín, Korhola, Lamassoure, Sacrédeus, Scallon, Stenmarck, Wijkman

Thursday 22 April 2004

100. Boogerd-Quaak report A5-0230/2004

Paragraph 84

For: 232

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Dary, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 19

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

GUE/NGL: Krarup

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Hannan, Montfort

UEN: Crowley

Abstention: 14

EDD: Butel, Mathieu

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Ebner, Fernández Martín, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

101. Boogerd-Quaak report A5-0230/2004**Paragraph 85****For: 226****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Dary, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter**PPE-DE:** Bourlanges, De Sarnez, Ferrer**PSE:** Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakakis, Swiebel, Swoboda, Terrón i Cusí, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn**Against: 17****EDD:** Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Stirbois**PPE-DE:** Montfort, Vatanen**UEN:** Crowley**Abstention: 18****EDD:** Butel**ELDR:** Manders**GUE/NGL:** Alyssandrakis, Korakas, Krarup, Patakis**NI:** Beysen, Garaud**PPE-DE:** Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Schmitt, Stenmarck, Suominen, Wijkman

Thursday 22 April 2004

102. Boogerd-Quaak report A5-0230/2004

Paragraph 86

For: 230

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: De Sarnez, Ferrer, Vatanen

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swibel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, Mayol i Raynal, Onesta, Rod, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 18

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

GUE/NGL: Krarup

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 20

EDD: Andersen, Bonde, Butel, Mathieu, Sandbæk

ELDR: Manders

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

103. Boogerd-Quaak report A5-0230/2004**Paragraph 87****For: 224****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Dary, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Boursanges, De Sarnez, Ferrer**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Dhaene, Díez González, Dührkop, Dührkop, Duhamel, El Khadraoui, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 16****EDD:** Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 16****EDD:** Butel, Mathieu**ELDR:** Manders**GUE/NGL:** Alyssandrakis, Korakas, Patakis**NI:** Beysen, Garaud**PPE-DE:** Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallan, Stenmarck, Wijkman

Thursday 22 April 2004

104. Boogerd-Quaak report A5-0230/2004

Paragraph 88

For: 229

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Bourlanges, De Sarnez

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Pérez Royo, Pittella, Poignant, Poos, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Wiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 15

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

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 20

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Beysen, Bonino, Dell'Alba, Dupuis, Garaud, Pannella

PPE-DE: Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Schmitt, Stenmarck

Thursday 22 April 2004

105. Boogerd-Quaak report A5-0230/2004**Paragraph 89****For: 242****EDD:** Andersen, Bernié, Bonde, Esclopé, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Vatanen**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusi, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 14****EDD:** Belder, Blokland, van Dam, Kuntz, Saint-Josse**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 13****EDD:** Butel, Mathieu**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

106. Boogerd-Quaak report A5-0230/2004

Visas 1 to 14

For: 238

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Martin Hans-Peter

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 16

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

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley, Thomas-Mauro

Abstention: 23

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Bonino, Dell'Alba, Dupuis, Garaud, Gorostiaga Atxalandabaso, Pannella

PPE-DE: Cushnahan, Ebner, Fernández Martín, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen, Wijkman

Thursday 22 April 2004

107. Boogerd-Quaak report A5-0230/2004**Recital A****For: 244****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Boursanges, Ferrer, Vatanen**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 9****EDD:** Abitbol, Kuntz**NI:** Claeyss, Dillen, Gollnisch, Lang, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 14****EDD:** Butel, Mathieu**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

108. Boogerd-Quaak report A5-0230/2004

Recital B

For: 223

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Krarup, Krivine, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci

NI: Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghildardt, Gill, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Rapkay, Roth-Behrendt, Rothley, Ruffolo, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Sornosa Martínez, Souladakis, Swiebel, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 12

EDD: Abitbol, Kuntz

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 16

EDD: Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Manders

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Schmitt, Stenmarck, Suominen

Thursday 22 April 2004

109. Boogerd-Quaak report A5-0230/2004**Recital C****For: 250****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Vatanen**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 11****EDD:** Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois**PPE-DE:** Hannan, Montfort**UEN:** Crowley**Abstention: 15****EDD:** Abitbol, Butel, Mathieu**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

110. Boogerd-Quaak report A5-0230/2004

Recital D

For: 236

EDD: Andersen, Belder, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjøstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer, Vatanen

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Rod, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 16

EDD: Abitbol, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Montfort

UEN: Crowley

Abstention: 20

EDD: Butel, Mathieu

ELDR: Manders

GUE/NGL: Alyssandrakis, Korakas, Krarup, Patakis

NI: Beysen, Garaud

PPE-DE: Atkins, Cushnahan, Ebner, Karas, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

111. Boogerd-Quaak report A5-0230/2004**Recital E****For: 233****EDD:** Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Näir, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Bonino, Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Bourlanges, De Sarnez, Ferrer, Vatanen**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 11****EDD:** Abitbol, Kuntz**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 17****EDD:** Butel, Mathieu**ELDR:** Manders**GUE/NGL:** Alyssandrakis, Korakas, Krarup, Patakis**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

112. Boogerd-Quaak report A5-0230/2004

Recital F

For: 229

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjøstedt, Sylla, Uca, Vinci, Wurtz

NI: Bonino, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napoletano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Rapkay, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 16

EDD: Abitbol, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Borghezio, Gollnisch, Lang, Speroni, Stirbois

PPE-DE: Hannan, Montfort, Vatanen

UEN: Crowley

Abstention: 19

EDD: Butel, Mathieu

ELDR: Manders

GUE/NGL: Alyssandrakis, Korakas, Krarup, Patakis

NI: Beysen, Garaud

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen, Wijkman

Thursday 22 April 2004

113. Boogerd-Quaak report A5-0230/2004**Recital G****For: 230****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigler, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Naïr, Papayannakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Ferrer, Vatanen**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusi, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn**Against: 17****EDD:** Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Speroni, Stirbois**PPE-DE:** Montfort**UEN:** Crowley**Abstention: 15****EDD:** Butel, Mathieu**ELDR:** Manders**NI:** Beysen, Garaud**PPE-DE:** Cushnahan, Ebner, Elles, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Stenmarck, Suominen

Thursday 22 April 2004

114. Boogerd-Quaak report A5-0230/2004

Recital

For: 237

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Nair, Papayannakis, Patakis, Puerta, Ribeiro, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Martin Hans-Peter

PPE-DE: Bourlanges, De Sarnez, Ferrer

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swibel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 24

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Kuntz, Saint-Josse

NI: Berthu, Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Lang, Pannella, Speroni, Stirbois

PPE-DE: Montfort, Vatanen

UEN: Crowley

Abstention: 14

EDD: Butel, Mathieu

ELDR: Manders

NI: Beysen, Gorostiaga Atxalandabaso

PPE-DE: Cushnahan, Ebner, Hortefeux, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Scallon, Wijkman

Thursday 22 April 2004

115. B5-0187/2004/rev. — Pakistan**Recital****For: 394****EDD:** Andersen, Belder, Blokland, Bonde, Butel, van Dam, Esclopé, Mathieu, Saint-Josse, Sandbæk**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Bergaz Conesa, Boudjenah, Caudron, Chountis, Di Lello Finuoli, Fiebig, Frahm, Kaufmann, Koulourianos, Markov, Meijer, Modrow, Ribeiro, Schmid Herman, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Bonino, Borghezio, Claeys, Dell'Alba, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella**PPE-DE:** Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Scallan, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen**UEN:** Angelilli, Camre, Caullery, Crowley, Marchiani, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Wuori, Wyn**Abstention: 4****GUE/NGL:** Cossutta, Krivine, Schröder Ilka**PPE-DE:** Lisi

Thursday 22 April 2004

116. B5-0185/2004 – Transatlantic relations**Amendment 6****For: 179****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Dybkjær, Väyrynen, Vallvé**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Kaufmann, Korakas, Koulourianos, Krivine, Markov, Meijer, Modrow, Patakis, Ribeiro, Schmid Herman, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter**PPE-DE:** Cesaro, Cushnahan, Grosch, Oomen-Ruijten, Posselt**PSE:** Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lund, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Soriano Gil, Souladakis, Swibel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Zrihen**UEN:** Crowley, Hyland**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 211****EDD:** Belder, Blokland, van Dam, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Rousseaux, Rutelli, Schmidt, Virrankoski, Wallis, Watson**NI:** Beysen, Bonino, Claeys, Dell'Alba, Pannella**PPE-DE:** Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lisi, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

Thursday 22 April 2004

PSE: Bowe, Casaca, Cashman, Ford, Gill, Honeyball, Kinnock, McAvan, Skinner, Whitehead

UEN: Angelilli, Camre, Caullery, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Abstention: 11

EDD: Butel, Esclopé, Saint-Josse

GUE/NGL: Fiebiger

NI: Berthu

PPE-DE: Konrad, Liese

PSE: Moraes, O'Toole, Wiersma, Wynn

117. B5-0185/2004 – Transatlantic relations

Amendment 11

For: 232

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Meijer, Modrow, Papayannakis, Patakis, Schmid Herman, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Bonino, Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Andria, Bowis, Deva, Ferrer, Grosch, Inglewood, Perry, Purvis, Stevenson, Wijkman

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Crowley, Hyland, Muscardini, Ribeiro e Castro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 152

EDD: Belder, Blokland, van Dam, Esclopé, Mathieu

NI: Berthu, Beysen, Claeys, Dupuis

Thursday 22 April 2004

PPE-DE: Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dover, Ebner, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Vila Abelló, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

UEN: Camre, Caullery, Marchiani, Thomas-Mauro

Abstention: 5

PPE-DE: Atkins, Bushill-Matthews, Callanan, Chichester, Parish

118. B5-0185/2004 – Transatlantic relations

Paragraph 13

For: 307

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Chountis, Di Lello Finuoli, Fiebiger, Vachetta

NI: Beysen, Bonino, Dell'Alba, Pannella

PPE-DE: Andria, Arvidsson, Avilés Perea, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Camisón Asensio, Cardoso, Cesaro, Chichester, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Harbour, Hatzidakis, Hermange, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lisi, Lulling, Maat, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Koukiadis, Kuhne, Lage, Lalumière,

Thursday 22 April 2004

Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swibel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Wynn, Zrihen

UEN: Angelilli, Camre, Crowley, Hyland, Muscardini, Ribeiro e Castro

Verts/ALE: Ferrández Lezaun, Mayol i Raynal

Against: 75

GUE/NGL: Ainardi, Alyssandrakis, Bordes, Boudjenah, Caudron, Cauquil, Cossutta, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Markov, Meijer, Modrow, Papayannakis, Patakis, Schmid Herman, Seppänen, Uca, Vinci, Wurtz

NI: Berthu, Claeys, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Ayuso González, Bushill-Matthews, Callanan, Dover, Foster, Goodwill, Gutiérrez-Cortines, Hannan, Helmer, Kirkhope, Lamassoure, Parish, Perry, Scallon, Tannock, Twinn, Van Orden, Villiers

PSE: Kinnock, Whitehead

UEN: Caullery, Marchiani, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rod, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori

Abstention: 7

EDD: Sandbæk

GUE/NGL: Schröder Ilka

PPE-DE: Atkins, Konrad, Montfort

PSE: Bösch, Poos

119. B5-0185/2004 – Transatlantic relations

Paragraph 15

For: 25

EDD: Belder, Blokland, van Dam

NI: Bonino

PPE-DE: Banotti, Bremmer, Cushnahan, García-Orcoyen Tormo, Hermange, Kaldí, Klač, Lechner, Lisi, Matikainen-Kallström, Schierhuber, Vatanen, Zappalà

PSE: Marinho

UEN: Angelilli, Hyland, Muscardini, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Flautre, Lagendijk

Thursday 22 April 2004

Against: 360

EDD: Mathieu

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Markov, Meijer, Modrow, Papayannakis, Patakis, Schmid Herman, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gawronski, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggler, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Liese, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schaffner, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Caullery, Crowley, Marchiani

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Duthu, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 6

EDD: Andersen, Bonde, Esclopé, Sandbæk

GUE/NGL: Schröder Ilka

PPE-DE: Montfort

Thursday 22 April 2004

120. B5-0185/2004 – Transatlantic relations**Amendment 12****For: 181****EDD:** Andersen, Bonde, Esclopé, Sandbæk**GUE/NGL:** Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebiger, Frahm, Korakas, Koulourianos, Krivine, Markov, Meijer, Modrow, Papayannakis, Patakis, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso, Martin Hans-Peter**PPE-DE:** Cesaro, Grosch, Wijkman**PSE:** Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swibel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen**Verts/ALE:** Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schöring, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 201****EDD:** Belder, Blokland, van Dam, Mathieu**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson**GUE/NGL:** Schmid Herman**NI:** Beysen, Bonino, Dell'Alba, Pannella**PPE-DE:** Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Koch, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener**UEN:** Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Abstention: 7

GUE/NGL: Bordes, Cauquil, Herzog, Schröder Ilka

NI: Berthu, Claeys

PSE: Poos

121. B5-0185/2004 – Transatlantic relations

Amendment 20

For: 114

EDD: Bonde, Esclopé, Sandbæk

ELDR: Andreassen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Malmström, Manders, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Korakas, Koulourianos, Krivine, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Gahler, Piscarreta

PSE: Bowe, van den Burg, Carlotti, Ceyhun, Dehousse, Désir, Dhaene, Duhamel, El Khadraoui, Ferreira, Guy-Quint, Hazan, Lalumière, Lavarra, Medina Ortega, Napolitano, Poignant, Savary, Scheele, Swiebel, Vairinhos, Van Lancker, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Buitenweg, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Turmes, Voggenhuber, Wuori, Wyn

Against: 273

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: André-Léonard, Nordmann

NI: Beysen, Bonino, Dell'Alba, Pannella

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, García-Margallo y Marfil, García-Orcoyen Tormo, Gawronski, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bullmann, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, De Keyser, Díez González, Dührkop Dührkop, Fava, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels,

Thursday 22 April 2004

Görlach, Gröner, Hänsch, Haug, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lange, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swoboda, Terrón i Cusí, Thorning-Schmidt, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn

UEN: Angelilli, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro

Verts/ALE: Breyer, Duthu, Staes

Abstention: 7

GUE/NGL: Herzog, Sylla

NI: Claeys

PPE-DE: Wijkman

PSE: Poos

UEN: Caullery, Thomas-Mauro

122. B5-0185/2004 – Transatlantic relations

Paragraph 18

For: 333

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Esclopé, Mathieu, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Fiebiger

NI: Berthu, Beysen, Bonino, Dell'Alba, Gorostiaga Atxalandabaso, Pannella

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Camisón Asensio, Cardoso, Cesaro, Chichester, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Deva, Dover, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, García-Margallo y Marfil, García-Orcóyen Tormo, Gawronski, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jeggler, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klab, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller,

Thursday 22 April 2004

Napoletano, Napolitano, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Caullery, Muscardini, Ribeiro e Castro

Verts/ALE: Aaltonen, Breyer, Buitenweg, Echerer, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Lagendijk, Maes, Onesta, Rühle, Sörensen, Staes, Voggenhuber, Wyn

Against: 57

EDD: Abitbol

ELDR: Nordmann

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Uca, Vachetta, Vinci, Wurtz

PPE-DE: Descamps, De Veyrac, Ebner, Hortefeux, Lamassoure, Martin Hugues, Schaffner, de Veyrinas

PSE: Marinho, Obiols i Germà, Schmid Gerhard

UEN: Crowley, Hyland, Marchiani, Thomas-Mauro

Verts/ALE: Boumediene-Thiery, Duthu, Evans Jillian, Isler Béguin, Lambert, Lannoye, Lucas, Mayol i Raynal, Rod, Schörling, Schroedter, Turmes, Wuori

Abstention: 6

GUE/NGL: Herzog, Sylla

NI: Claeys, Martin Hans-Peter

PSE: Dehousse

Verts/ALE: Jonckheer

123. B5-0185/2004 – Transatlantic relations

Paragraph 19

For: 307

EDD: Belder, Blokland, van Dam, Esclopé, Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Newton Dunn, Nordmann, Paulsen, Pesälä, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

NI: Bonino, Dell'Alba, Pannella

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fournou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gawronski, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Radwan,

Thursday 22 April 2004

Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soriano Gil, Sornosa Martínez, Souladakakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Ribeiro e Castro

Verts/ALE: Aaltonen, Breyer, Buitenweg, Duthu, Echerer, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Maes, Onesta, Rühle, Sörensen, Staes, Voggenhuber, Wyn

Against: 81

EDD: Abitbol, Andersen, Bonde, Sandbæk

ELDR: Pohjamo

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Claeys, Gorostiaga Atxalandabaso

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Helmer, Hortefeux, Inglewood, Kirkhope, Parish, Perry, Provan, Purvis, Scallon, Stevenson, Stockton, Tannock, Twinn, Van Orden, Villiers

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Thomas-Mauro

Verts/ALE: Boumediene-Thiery, Evans Jillian, Flautre, Isler Béguin, Lambert, Lannoye, Lucas, Mayol i Raynal, Schörling, Schroedter, Turmes, Wuori

Abstention: 6

GUE/NGL: Herzog, Sylla

NI: Berthu, Martin Hans-Peter

PSE: Dehousse

Verts/ALE: Rod

124. B5-0185/2004 – Transatlantic relations

Paragraph 20

For: 282

EDD: Belder, Blokland, van Dam, Esclopé, Mathieu

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

Thursday 22 April 2004

GUE/NGL: Caudron, Manisco

NI: Bonino, Dell'Alba

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Ebner, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gawronski, Gil-Robles Gil-Delgado, Gomolka, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Kaldí, Kastler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Rovsing, Rübig, Sacrédeus, Santer, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Désir, Dhaene, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Fava, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Honeyball, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Read, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakakis, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Ribeiro e Castro

Verts/ALE: Duthu, Ferrández Lezaun, Flautre, Maes

Against: 99

EDD: Abitbol, Andersen, Bonde, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Fiebigger, Frahm, Korakas, Koulourianos, Krivine, Laguiller, Markov, Meijer, Modrow, Patakis, Schmid Herman, Seppänen, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Gorostiaga Atxalandabaso

PPE-DE: Atkins, Balfe, Bowis, Brok, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Florenz, Foster, Goepel, Goodwill, Graça Moura, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Parish, Perry, Purvis, Radwan, Salafranca Sánchez-Neyra, Stevenson, Stockton, Sudre, Tannock, Twinn, Villiers, Vlasto

PSE: Haug

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Echerer, Evans Jillian, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 5

GUE/NGL: Herzog, Sylla

NI: Martin Hans-Peter

PSE: Dehousse, Van Lancker

Thursday 22 April 2004

125. De Keyser report A5-0270/2004**Amendment 6****For: 172****EDD:** Belder, Blokland, van Dam, Esclopé, Mathieu**NI:** Berthu, Beysen, Dell'Alba

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bowis, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Daul, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Kieß, Knolle, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Bowe, Cashman, Corbett, Ferreira, Gill, Honeyball, Kinnock, McAvan, Marinho, Martin David W., Moraes, O'Toole, Pérez Royo, Poignant, Skinner, Titley, Whitehead, Wynn

UEN: Angelilli, Caullery, Marchiani, Muscardini, Ribeiro e Castro

Against: 188**EDD:** Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Qaak, van den Bos, Busk, Calò, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Newton Dunn, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Seppänen, Sylla, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Cushnahan, Deprez, Ferrer, Grosch, Korhola, Matikainen-Kallström, Wijkman

PSE: Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ford, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Piecyk, Pittella, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Zrihen

UEN: Crowley, Hyland, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 22 April 2004

Abstention: 3

GUE/NGL: Schröder Ilka

NI: Claeys, Dillen

126. De Keyser report A5-0270/2004

Amendment 7

For: 118

EDD: Belder, Blokland, van Dam, Mathieu

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Bartolozzi, Bayona de Perogordo, Berend, Bremmer, Camisón Asensio, Cardoso, Cesaro, Daul, Dell'Utri, De Veyrac, Ebner, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Klaß, Knolle, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xavier, Méndez de Vigo, Menrad, Montfort, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stevenson, Sudre, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Lavarra, Marinho

UEN: Angelilli

Against: 241

EDD: Andersen, Bonde, Esclopé, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Fleisch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schröder Ilka, Seppänen, Vinci, Wurtz

NI: Beysen, Dell'Alba, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deprez, Deva, Dover, Elles, Ferrer, Foster, Goodwill, Grosch, Hannan, Harbour, Helmer, Inglewood, Kastler, Kirkhope, Korhola, Lechner, Matikainen-Kallström, Parish, Perry, Provan, Purvis, Smet, Stockton, Tannock, Thyssen, Twinn, Van Orden, Villiers, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Caullery, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 1

NI: Dillen

127. De Keyser report A5-0270/2004

Amendment 8

For: 114

EDD: Belder, Blokland, van Dam, Mathieu

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Bartolozzi, Bayona de Perogordo, Berend, Bremmer, Camisón Asensio, Cardoso, Daul, Dell'Utri, Descamps, De Veyrac, Ebner, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Fournou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Kaldí, Karas, Keppelhoff-Wiechert, Klab, Knolle, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Píscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Sudre, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Zacharakis, Zimmerling, Zissener

PSE: Marinho, Moraes

Against: 248

EDD: Andersen, Bonde, Esclopé, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dell'Alba, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deprez, Deva, Dover, Elles, Ferrer, Foster, Goodwill, Grosch, Hannan, Harbour, Helmer, Inglewood, Kirkhope, Korhola, Lamassoure, Matikainen-Kallström, Parish, Perry, Provan, Purvis, Sacrédeus, Scallon, Smet, Stevenson, Stockton, Tannock, Thyssen, Twinn, Van Orden, Villiers, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Tittley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 1

PSE: Dehousse

128. De Keyser report A5-0270/2004

Amendment 9

For: 114

EDD: Belder, Blokland, van Dam, Mathieu

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Bartolozzi, Bayona de Perogordo, Berend, Bremmer, Camisón Asensio, Cardoso, Daul, Dell'Utri, Descamps, De Veyrac, Ebner, Ferber, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Radwan, Røvsing, Rübzig, Salafranca Sánchez-Neyra, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Sudre, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Marinho

Against: 250

EDD: Andersen, Bonde, Esclopé, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deprez, Deva, Dover, Elles, Ferrer, Foster, Goodwill, Grosch, Hannan, Harbour, Helmer, Hermange, Inglewood, Kirkhope, Korhola, Lamassoure, Matikainen-Kallström, Parish, Perry, Provan, Purvis, Sacrédeus, Santer, Smet, Stevenson, Stockton, Tannock, Thyssen, Twinn, Van Orden, Villiers, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 1

PSE: Dehousse

129. De Keyser report A5-0270/2004

Amendment 10

For: 138

EDD: Belder, Blokland, van Dam, Mathieu

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Daul, Descamps, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggel, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Knolle, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wurmeling, Zacharakis, Zappalà, Zimmerling

PSE: Marinho, O'Toole

Against: 225

EDD: Andersen, Bonde, Esclopé, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz

NI: Berthu, Beysen, Claey, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Bowis, Cushnahan, Deprez, Deva, Ferrer, Grosch, Hermange, Lamassoure, Matikainen-Kallström, Montfort, Sacrédeus, Santer, Smet, Thyssen, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinno, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

130. De Keyser report A5-0270/2004

Amendment 11

For: 109

EDD: Belder, Blokland, van Dam, Mathieu

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Bayona de Perogordo, Berend, Bremmer, Camisón Asensio, Cardoso, Cesaro, Daul, Descamps, De Veyrac, Ebner, Ferber, Fernández Martín, Fiori, Flemming, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Klab, Knolle, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Sudre, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Zacharakis, Zappalà, Zimmerling, Zissener

Against: 252

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreassen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dell'Alba, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Atkins, Balfe, Bowis, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deprez, Deva, Dover, Elles, Ferrer, Foster, Goodwill, Grosch, Hannan, Harbour, Helmer, Hermange, Inglewood, Kirkhope, Korhola, Lamassoure, Matikainen-Kallström, Parish, Perry, Provan, Purvis, Sacrédeus, Santer, Scallon, Schaffner, Smet, Stevenson, Stockton, Tannock, Thyssen, Twinn, Van Orden, Villiers, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 1

EDD: Esclopé

131. De Keyser report A5-0270/2004

Amendment 12

For: 128

EDD: Belder, Blokland, van Dam

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bayona de Perogordo, Berend, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Daul, Dell'Utri, Descamps, De Veyrac, Elles, Ferber, Fernández Martín, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Kirkhope, Klaß, Knolle, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Mantovani, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santini, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Trakatellis, Twinn, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Vila Abelló, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zimmerling, Zissener

PSE: Marinho, Poignant

Against: 224

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Fleisch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Patakis, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter

PPE-DE: Bowis, Cushnahan, Deprez, Deva, Dover, Ebner, Ferrer, Grosch, Hermange, Korhola, Lamassoure, Matikainen-Kallström, Sacrédeus, Santer, Schaffner, Smet, Thyssen, de Veyrinas, Vlasto, Wijkman

PSE: Adam, Aguiriano Nalda, Baltas, Barón Crespo, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poos, Rapkay, Rothe, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Thursday 22 April 2004

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, Maes, Mayol i Raynal, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 1

NI: Dell'Alba

132. De Keyser report A5-0270/2004

Amendment 13

For: 131

EDD: Belder, Blokland, van Dam, Mathieu

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bayona de Perogordo, Berend, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Chichester, Daul, Dell'Utri, Descamps, Dover, Ebner, Elles, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klauf, Knolle, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, Mann Thomas, Martens, Mauro, Mayer Hans-Peter, Mayer Xavier, Méndez de Vigo, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Vila Abelló, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

Against: 227

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerdt-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Cossutta, Di Lello Finuoli, Frahm, Herzog, Koulourianos, Krivine, Laguiller, Manisco, Markov, Meijer, Modrow, Papayannakis, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Gorostiaga Atxalandabaso, Martin Hans-Peter, Pannella

PPE-DE: Bowis, Cushnahan, Deprez, Deva, Ferrer, Grosch, Hermange, Korhola, Lamassoure, Mantovani, Matikainen-Kallström, Sacrédeus, Santer, Scallan, Schaffner, Smet, Thyssen, de Veyrinas, Vlasto, Wijkman

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Díez González, Duhamel, El Khadraoui, Ferreira, Ford, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Swoboda, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

Thursday 22 April 2004

UEN: Angelilli, Caullery, Crowley, Hyland, Marchiani, Muscardini, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rod, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 6

EDD: Esclopé

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Dell'Alba

PSE: Dehousse

133. Randzio-Plath report A5-0280/2004

Amendment 9

For: 43

EDD: Andersen, Bonde, Esclopé, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Di Lello Finuoli, Frahm, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Meijer, Modrow, Papayannakis, Patakis, Sylla, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Dell'Utri

PSE: Dehousse, Pérez Royo

Verts/ALE: Breyer, Duthu, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Lagendijk, Lucas, Rod, Schörling, Schroedter, Voggenhuber, Wyn

Against: 266

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

NI: Berthu, Beysen, Martin Hans-Peter

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bowis, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, García-Margallo y Marfil, García-Orcóyen Tormo, Gil-Robles Gil-Delgado, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Kirkhope, Klauf, Knolle, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Liese, Lisi, Lulling, Mann Thomas, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

Thursday 22 April 2004

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dhaene, Díez González, El Khadraoui, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Lavarra, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pittella, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Terrón i Cusí, Thorning-Schmidt, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Walter, Weiler, Wiersma, Wynn, Zrihen

UEN: Caullery, Crowley, Hyland, Marchiani, Ribeiro e Castro

Verts/ALE: Sörensen, Staes

Abstention: 10

GUE/NGL: Herzog

NI: Claeys

Verts/ALE: Boumediene-Thiery, Ferrández Lezaun, Lambert, Maes, Onesta, Rühle, Turmes, Wuori

134. Randzio-Plath report A5-0280/2004

Amendment 10

For: 59

EDD: Andersen, Bonde, Esclopé, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Meijer, Modrow, Papayannakis, Patakis, Sylla, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Flemming

PSE: Dhaene, El Khadraoui, Hazan, Valenciano Martínez-Orozco, Van Lancker

Verts/ALE: Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rod, Rühle, Schörling, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 247

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Flesch, Maaten, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

NI: Beysen, Martin Hans-Peter

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bowis, Bremmer, Callanan, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dover, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Fourtou, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jeggler, Kaldí, Karas, Kastler, Kirkhope, Klab, Knolle, Lamassoure, Langen, Langenhagen, Laschet, Liese, Lisi, Lulling, Mann Thomas, Mantovani, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Scallan, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schwaiger, Smet, Sommer,

Thursday 22 April 2004

Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Díez González, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Lage, Lalumière, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Pittella, Rapkay, Rothe, Rothley, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Souladakis, Swoboda, Terrón i Cusí, Titley, Vairinhos, Vattimo, Walter, Weiler, Wiersma, Wynn, Zrihen

UEN: Caullery, Marchiani, Ribeiro e Castro

Verts/ALE: Ferrández Lezaun

Abstention: 7

NI: Berthu, Claeys, Dillen

PPE-DE: Hortefeux

PSE: Dehousse

UEN: Crowley, Thomas-Mauro

135. Randzio-Plath report A5-0280/2004

Amendment 11

For: 50

EDD: Andersen, Bonde, van Dam, Esclopé, Sandbæk

GUE/NGL: Ainardi, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Di Lello Finuoli, Frahm, Herzog, Korakas, Koulourianos, Krivine, Laguiller, Meijer, Modrow, Papayannakis, Patakis, Sylla, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PSE: Dehousse

Verts/ALE: Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Lagendijk, Lambert, Lannoye, Lucas, Rod, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 260

EDD: Belder, Blokland, Mathieu

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

NI: Berthu, Beysen

PPE-DE: Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bowis, Bremmer, Callanan, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Kirkhope, Klač, Knolle, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen,

Thursday 22 April 2004

Langenhagen, Laschet, Liese, Lisi, Lulling, Mann Thomas, Mantovani, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Díez González, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Lage, Lalumière, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Pittella, Rapkay, Rothe, Rothley, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Walter, Weiler, Wiersma, Wynn, Zrihen

UEN: Caullery, Crowley, Marchiani, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Ferrández Lezaun

Abstention: 11

NI: Claeys, Dillen, Martin Hans-Peter

PSE: Dhaene, El Khadraoui, Van Lancker

Verts/ALE: Isler Béguin, Jonckheer, Maes, Onesta, Rühle

136. Randzio-Plath report A5-0280/2004

Amendment 12

For: 54

EDD: Andersen, Bonde, Esclopé, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Di Lello Finuoli, Frahm, Korakas, Koulourianos, Krivine, Laguiller, Meijer, Modrow, Papayannakis, Patakis, Seppänen, Sylla, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PSE: Dehousse

Verts/ALE: Boumediene-Thiery, Breyer, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rod, Rühle, Schörling, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 257

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

NI: Berthu, Beysen

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bowis, Bremmer, Callanan, Camisón Asensio, Cardoso, Cushnahan, Daul, Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, García-Margallo y Marfil, García-Orcóyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour,

Thursday 22 April 2004

Hatzidakis, Helmer, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Kirkhope, Klaß, Knolle, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lisi, Lulling, Mann Thomas, Mantovani, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, Dhaene, Díez González, El Khadraoui, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Lage, Lalumière, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Müller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Pittella, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Weiler, Wiersma, Wynn, Zrihen

UEN: Caullery, Crowley, Hyland, Marchiani, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Ferrández Lezaun

Abstention: 2

GUE/NGL: Herzog

NI: Claeys

137. Randzio-Plath report A5-0280/2004

Amendment 13

For: 60

EDD: Andersen, Bonde, Esclopé, Sandbæk

GUE/NGL: Ainardi, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Chountis, Di Lello Finuoli, Frahm, Korakas, Koulourianos, Krivine, Laguiller, Meijer, Modrow, Papayannakis, Patakis, Seppänen, Sylla, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Martin Hans-Peter

PSE: Dehousse, Dhaene, El Khadraoui, Van Lancker

UEN: Hyland, Ribeiro e Castro

Verts/ALE: Boumediene-Thiery, Breyer, Buitenweg, Duthu, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, Maes, Onesta, Rod, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 255

EDD: Belder, Blokland, van Dam, Mathieu

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, Costa Paolo, De Clercq, Duff, Dybkjær, Flesch, Jensen, Maaten, Malmström, Mulder, Newton Dunn, Paulsen, Pesälä, Pohjamo, Procacci, Riis-Jørgensen, Rousseaux, Rutelli, Schmidt, Väyrynen, Vallvé, Virrankoski, Wallis

NI: Berthu, Beysen

PPE-DE: Andria, Arvidsson, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Berend, Bowis, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cesaro, Cushnahan, Daul,

Thursday 22 April 2004

Dell'Utri, Deprez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Kaldí, Karas, Kastler, Kirkhope, Kieß, Knolle, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lisi, Lulling, Mann Thomas, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Perry, Pex, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vila Abelló, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aguiriano Nalda, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bösch, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Díez González, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Lage, Lalumière, Leinen, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miranda de Lage, Moraes, Müller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Pérez Royo, Pittella, Rapkay, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Skinner, Soriano Gil, Sornosa Martínez, Souladakis, Swiebel, Terrón i Cusí, Titley, Vairinhos, Valenciano Martínez-Orozco, Walter, Weiler, Wiersma, Zrihen

UEN: Caullery, Crowley, Marchiani, Thomas-Mauro

Verts/ALE: Ferrández Lezaun

Abstention: 4

GUE/NGL: Herzog

NI: Claeys, Dillen

Verts/ALE: Rühle

138. B5-0194/2004 – RC – Nigeria Resolution

For: 84

EDD: Belder, van Dam, Sandbæk

ELDR: André-Léonard, Newton Dunn

GUE/NGL: Bergaz Conesa, Chountis, Korakas, Koulourianos, Meijer, Patakis, Vinci

NI: Berthu, Beysen, Gorostiaga Atxalandabaso

PPE-DE: Arvidsson, Bayona de Perogordo, Bowis, Camisón Asensio, Cushnahan, Daul, Descamps, Deva, Elles, Ferrer, Flemming, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Goepel, Grossetête, Hatzidakis, Jeggle, Karas, Knolle, Kratsa-Tsagaropoulou, Lulling, McCartin, Mann Thomas, Menrad, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pack, Pérez Álvarez, Posselt, Purvis, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Schmitt, Sommer, Stenmarck, Sudre, Tannock, Wieland, Zimmerling

PSE: Adam, Aguiriano Nalda, Baltas, Casaca, Cerdeira Morterero, Dehousse, Díez González, Gebhardt, Gillig, Izquierdo Collado, Izquierdo Rojo, Karamanou, Leinen, Martínez Martínez, Medina Ortega, Sauquillo Pérez del Arco, Soriano Gil, Sornosa Martínez, Souladakis

UEN: Ribeiro e Castro

Verts/ALE: Breyer, Ferrández Lezaun, Isler Béguin, Lagendijk, Maes, Schörling, Sörensen

Thursday 22 April 2004

TEXTS ADOPTED

P5_TA(2004)0351

Beekeeping ***European Parliament legislative resolution on the proposal for a Council regulation on actions in the field of beekeeping (COM(2004) 30 – C5-0052/2004 – 2004/0003(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 30) ⁽¹⁾,
 - having regard to Articles 36 and 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0052/2004),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A5-0232/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
 5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 1

Recital 5a (new)

(5a) In implementing Article 26a of Directive 2001/18/EC ⁽¹⁾, Member States should take legislative measures on the coexistence of genetically modified, conventional and organic crops that also allow beekeepers to manufacture honey with a pollution level below the threshold value of 0,9%.

⁽¹⁾ 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 and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1, last amended by Regulation (EC) No 1830/2003 (OJ L 268, 18.10.2003, p. 24)).

⁽¹⁾ Not yet published in the OJ.

Thursday 22 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 2

Recital 5b (new)

(5b) There continues to be an imbalance between supply and demand in the market in honey within the Community and the level of self-sufficiency has fallen still further in the last three years, as a result of which the price of honey in the European Union depends directly on the world price, which is itself very unstable.

Amendment 3

Recital 5c (new)

(5c) Honey is a high-quality agricultural product and remains one of the few products listed in Annex I to the Treaty establishing the European Community neither to benefit from a comprehensive regulatory and direct support framework under the CAP nor to enjoy sufficient differentiation in respect of imported honeys.

Amendment 4

Recital 5d (new)

(5d) The Member States of the European Union have a substantial beekeeping tradition and some are large producers of honey, which should be taken into account in the implementation of this Regulation, not least in terms of the budget allocated thereto.

Amendment 5

Recital 6

(6) In view of the spread of varroasis in several Member States in recent years and the **problems which** this disease **causes for** honey production, action by the Community is necessary as varroasis cannot be completely eradicated and treatment with approved products is recommended.

(6) In view of the spread of varroasis in several Member States in recent years and the **effects of** this disease **on** honey production, action by the Community is necessary as varroasis cannot be completely eradicated and treatment with approved products is recommended.

Amendment 6

Recital 6a (new)

(6a) Bearing in mind on the one hand the European Parliament's resolution of 9 October 2003 on the difficulties faced by the European beekeeping sector ⁽¹⁾, which officially recognises the exceptional decline in the bee population in recent years, and on the other hand Regulation (EC) 1398/2003 ⁽²⁾, which prohibits the import of packets of bees, and the current shortage of biological material production units, measures need to be introduced in support of the restoration and development of the Community's bee population.

⁽¹⁾ P5_TA(2003)0430.

⁽²⁾ OJ L 198, 6.8.2003, p. 3.

Thursday 22 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 7

Recital 6b (new)

(6b) Quality control checks on honey play a major part in enabling, on the one hand, improvement of the production and marketing of honey and, on the other, prevention of the marketing of honey that fails to meet the European quality criteria principally laid down in Council Directive 2001/110/EC of 20 December 2001 relating to honey⁽¹⁾. These checks make for stabilisation of the market and of prices.

⁽¹⁾ OJ L 10, 12.1.2002, p. 47.

Amendment 8

Recital 7

(7) Given these circumstances and in order to improve the production and marketing of apiculture products in the Community, national programmes should be drawn up every three years **comprising technical assistance, control of varroasis, rationalisation of transhumance, management of the restocking of hives in the Community, and cooperation on research programmes on beekeeping and apiculture products.**

(7) Given these circumstances and in order to improve the production and marketing of apiculture products in the Community, national programmes should be drawn up every three years **and reviewable annually, and should comprise:**

- (a) technical assistance to beekeepers and groupings of beekeepers;**
- (b) control of varroasis and its corollaries;**
- (c) rationalisation of transhumance;**
- (d) measures to support the restoration and development of the Community's bee population;**
- (e) cooperation with specialised bodies for the implementation of applied research programmes in the field of improving the bee population and the quality of honey and apiculture products;**
- (f) measures in support of honey analysis laboratories;**
- (g) any other measure apt to improve the production and marketing of honey and apiculture products.**

Amendment 9

Recital 8

(8) In order to supplement the statistical data on beekeeping, Member States should carry out studies on the structure of the sector, covering production, marketing and price formation.

(8) In order to supplement the statistical data on beekeeping, Member States should carry out **detailed** studies on the structure of the sector, covering production, marketing and price formation.

Thursday 22 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 10

Article 1, paragraph 1, subparagraph 2

To this end, each Member State **may** draw up a national programme for a period of three years, hereinafter referred to as the 'apiculture programme'.

To this end, each Member State **must** draw up a national programme for a period of three years, **reviewable annually**, hereinafter referred to as the 'apiculture programme'.

Amendment 11

Article 2, paragraph 1

The measures which may be included in the apiculture programme shall be the following:

- (a) technical assistance to beekeepers and groupings of beekeepers,
- (b) control of varroasis,
- (c) rationalisation of transhumance,
- (d) measures to support the **restocking of hives in the Community**,
- (e) cooperation with specialised bodies for the implementation of applied research programmes in the field of **beekeeping and apiculture products**.

The measures which may be included in the apiculture programme shall be the following:

- (a) technical assistance to beekeepers and groupings of beekeepers,
- (b) control of varroasis **and its corollaries**,
- (c) rationalisation of transhumance,
- (d) measures to support the **restoration and development of the Community's bee population**,
- (e) cooperation with specialised bodies for the implementation of applied research programmes in the field of **improving the bee population and the quality of honey and apiculture products**,
- (ea) **measures in support of honey analysis laboratories**,
- (eb) **any other measure apt to improve the production and marketing of honey and apiculture products**.

Amendment 12

Article 3

To be eligible for the part-financing provided for in Article 4(2), Member States **shall carry out** a study of the production and marketing structure in the beekeeping sector in their territory. This study shall be communicated with the apiculture programme.

To be eligible for the part-financing provided for in Article 4(2), Member States **must carry out** a **detailed** study of the production and marketing structure in the beekeeping sector in their territory. This study shall be communicated with the apiculture programme.

Amendment 13

Article 4, paragraph 2

2. The Community shall provide part-financing for the apiculture programmes equivalent to **50 %** of the expenditure borne by Member States.

2. The Community shall provide part-financing for the apiculture programmes equivalent to **75 %** of the expenditure borne by Member States.

Thursday 22 April 2004

P5_TA(2004)0352

Proposal for a Council Decision establishing the Visa Information System (VIS) ***European Parliament legislative resolution on the Commission proposal for a Council decision establishing the Visa Information System (VIS) (COM(2004) 99 – C5-0098/2004 – 2004/0029(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 99) ⁽¹⁾,
 - having regard to Article 66 of the EC Treaty,
 - having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0098/2004),
 - having regard to the Protocol integrating the Schengen 'acquis' into the framework of the European Union, pursuant to which the Council consulted Parliament,
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinion of the Committee on Budgets (A5-0262/2004),
1. Rejects the Commission proposal;
 2. Calls on the Commission to withdraw its proposal and submit a new one;
 3. Instructs the President to forward its position to the Council and the Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TA(2004)0353

Privileges and immunities of Mr Bossi, a former Member of the European Parliament**European Parliament decision on the request for defence of parliamentary immunity and privileges submitted by Umberto Bossi (2003/2171(IMM))***The European Parliament,*

- having regard to a request submitted by Umberto Bossi for defence of his immunity in connection with legal proceedings pending before the Court of Brescia, announced in plenary session on 12 May 2003,
- having regard to Article 9 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 (A5-0281/2004),

⁽¹⁾ See Case 101/63 *Wagner v. Fohrmann and Krier* ECR, English Special Edition 1964, 195 and Case 149/85 *Wybot v. Faure* [1986] ECR 2403.

Thursday 22 April 2004

- A. whereas Umberto Bossi was elected to the European Parliament in the fifth direct elections held on 13 June 1999, and whereas his credentials were verified by Parliament on 15 December 1999 ⁽¹⁾ and his term of office expired on 10 June 2001,
 - B. 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 ⁽²⁾,
 - C. whereas the immunity from legal proceedings enjoyed by Members of the European Parliament also covers immunity from civil proceedings,
 - D. whereas Members of the European Parliament have a responsibility to participate in political affairs, and accordingly when they publish newspaper articles on controversial topics they are properly deemed to be engaged in the performance of their duties as MEPs,
1. Decides, in relation to the proceedings pending, to defend the immunity and privileges of its former Member Umberto Bossi;
 2. Proposes, pursuant to Article 9 of the above-mentioned Protocol and having regard to the proceedings in the Member State in question, to declare that the proceedings in issue should not be continued; and therefore calls on the Court to draw the appropriate conclusions;
 3. Instructs its President immediately to forward this decision and the report of its committee to the Court of Brescia.

⁽¹⁾ European Parliament decision of 15.12.1999 on the verification of credentials of Members following the fifth direct elections to the European Parliament on 10 to 13 June 1999 (OJ C 296, 18.10.2000, p. 93).

⁽²⁾ Article 9 of the Protocol on the Privileges and Immunities of the European Communities.

P5_TA(2004)0354

Privileges and immunities of Mr Bossi, a former Member of the European Parliament (second request)

European Parliament decision on the request for defence of parliamentary immunity and privileges submitted by Umberto Bossi (2003/2172(IMM))

The European Parliament,

- having regard to a request submitted by Umberto Bossi for defence of his immunity in connection with legal proceedings pending before the Court of Brescia, announced in plenary session on 1 September 2003,
- having regard to Article 9 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 (A5-0282/2004),

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

Thursday 22 April 2004

- A. whereas Umberto Bossi was elected to the European Parliament in the fifth direct elections held on 13 June 1999, and whereas his credentials were verified by Parliament on 15 December 1999 ⁽¹⁾ and his term of office expired on 10 June 2001,
- B. 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 ⁽²⁾,
- C. whereas the immunity from legal proceedings enjoyed by Members of the European Parliament also covers immunity from civil proceedings,
- D. whereas Members of the European Parliament have a responsibility to participate in political affairs, and accordingly when they publish newspaper articles on controversial topics they are properly deemed to be engaged in the performance of their duties as MEP,
1. Decides that it would not be appropriate for any measure to be adopted in relation to the proceedings pending that might raise a question with the Italian authorities concerning the political activities of the former Member Mr Bossi;
2. Instructs its President immediately to forward this decision and the report of its committee to the Court of Brescia.

⁽¹⁾ European Parliament decision of 15.12.1999 on the verification of credentials of Members following the fifth direct elections to the European Parliament on 10 to 13 June 1999 (OJ C 296, 18.10.2000, p. 93).

⁽²⁾ Article 9 of the Protocol on the Privileges and Immunities of the European Communities.

P5_TA(2004)0355

Development of the Community's railways *III**

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council Directive 91/440/EEC on the development of the Community's railways (PE-CONS 3641/2004 – C5-0156/2004 – 2002/0025(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3641/2004 – C5-0156/2004),
- having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2002) 25) ⁽²⁾,
- having regard to its position at second reading ⁽³⁾ on the Council common position ⁽⁴⁾,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 719 – C5-0589/2003) ⁽⁵⁾,
- having regard to Article 251(5) of the EC Treaty,
- having regard to Rule 83 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A5-0242/2004),

⁽¹⁾ OJ C 38 E, 12.2.2004, p. 89.

⁽²⁾ OJ C 291 E, 26.11.2002, p. 1.

⁽³⁾ Texts Adopted, 23.10.2003, P5_TA(2003)0453.

⁽⁴⁾ OJ C 270 E, 11.11.2003, p. 1.

⁽⁵⁾ Not yet published in the OJ.

Thursday 22 April 2004

1. Approves the joint text;
 2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
 3. 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;
 4. Instructs its President to forward this legislative resolution to the Council and Commission.
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P5_TA(2004)0356

Railway safety ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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) (PE-CONS 3638/2004 – C5-0153/2004 – 2002/0022(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3638/2004 – C5-0153/2004),
- having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2002) 21) ⁽²⁾,
- having regard to its position at second reading ⁽³⁾ on the Council common position ⁽⁴⁾,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 719 – C5-0586/2003) ⁽⁵⁾,
- having regard to Article 251(5) of the EC Treaty,
- having regard to Rule 83 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A5-0245/2004),

1. Approves the joint text;
2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
3. 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;
4. Instructs its President to forward this legislative resolution to the Council and Commission.

⁽¹⁾ OJ C 38 E, 12.2.2004, p. 92.

⁽²⁾ OJ C 126 E, 28.5.2002, p. 332.

⁽³⁾ Texts Adopted, 23.10.2003, P5_TA(2003)0454.

⁽⁴⁾ OJ C 270 E, 11.11.2003, p. 25.

⁽⁵⁾ Not yet published in the OJ.

Thursday 22 April 2004

P5_TA(2004)0357

Interoperability of the trans-European rail system *III**

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive 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 (PE-CONS 3639/2004 – C5-0154/2004 – 2002/0023(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3639/2004 – C5-0154/2004),
- having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2002) 22) ⁽²⁾,
- having regard to its position at second reading ⁽³⁾ on the Council common position ⁽⁴⁾,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 719 – C5-0587/2003) ⁽⁵⁾,
- having regard to Article 251(5) of the EC Treaty,
- having regard to Rule 83 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A5-0243/2004),

1. Approves the joint text;
2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
3. 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;
4. Instructs its President to forward this legislative resolution to the Council and Commission.

⁽¹⁾ OJ C 38 E, 12.2.2004, p. 119.

⁽²⁾ OJ C 126 E, 28.5.2002, p. 312.

⁽³⁾ Texts Adopted, 23.10.2003, P5_TA(2003)0455.

⁽⁴⁾ OJ C 270 E, 11.11.2003, p. 7.

⁽⁵⁾ Not yet published in the OJ.

Thursday 22 April 2004

P5_TA(2004)0358

European Railway Agency ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation establishing a European Railway Agency (Agency Regulation) (PE-CONS 3640/2004 – C5-0155/2004 – 2002/0024(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee and the relevant Commission statement (PE-CONS 3640/2004 – C5-0155/2004),
- having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2002) 23) ⁽²⁾,
- having regard to its position at second reading ⁽³⁾ on the Council common position ⁽⁴⁾,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 719 – C5-0588/2003) ⁽⁵⁾,
- having regard to Article 251(5) of the EC Treaty,
- having regard to Rule 83 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A5-0244/2004),

1. Approves the joint text and draws attention to the Commission statement thereon;
2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published, together with the Commission statement thereon, in the Official Journal of the European Union;
4. Instructs its President to forward this legislative resolution to the Council and Commission.

⁽¹⁾ OJ C 38 E, 12.2.2004, p. 135.

⁽²⁾ OJ C 126 E, 28.5.2002, p. 323.

⁽³⁾ Texts Adopted, 23.10.2003, P5_TA(2003)0456.

⁽⁴⁾ OJ C 270 E, 11.11.2003, p. 48.

⁽⁵⁾ Not yet published in the OJ.

P5_TA(2004)0359

Amending budget No 6/2004

European Parliament resolution on draft amending budget No 6 of the European Union for the financial year 2004 (8739/2004 – C5-0167/2004 – 2004/2026(BUD))

The European Parliament,

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
- having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾, in particular Articles 37 and 38 thereof,

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

Thursday 22 April 2004

- having regard to the general budget of the European Union for the financial year 2004, as finally adopted on 18 December 2003 ⁽¹⁾,
 - 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 ⁽²⁾,
 - having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽³⁾,
 - having regard to Decision No 1230/2003/EC of the European Parliament and of the Council of 26 June 2003 adopting a multiannual programme for action in the field of energy: 'Intelligent Energy — Europe' (2003-2006) ⁽⁴⁾,
 - having regard to preliminary draft amending budget No 6/2004 of the European Union for the financial year 2004, which the Commission presented on 17 March 2004 (SEC(2004) 321),
 - having regard to draft amending budget No 6/2004 of the European Union for the financial year 2004, which the Council established on 21 April 2004 (8739/2004 — C5-0167/2004),
 - having regard to Rule 92 and Annex IV of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A5-0259/2004),
- A. whereas the purpose of the amending budget is to create a new budget line 06 01 04 30 'Executive Agency for Intelligent Energy',
- B. whereas this new budget line will receive appropriations from the other budget lines for the multi-annual programme for action in the field of energy 'Intelligent Energy — Europe',
- C. whereas the Agency is expected to start operating in May 2004,
- D. whereas the 2004 subsidy to the Agency is estimated to amount to EUR 2 770 000,
1. Welcomes the Commission's commitment to inform Parliament in advance of the setting-up of any Executive Agency;
 2. Approves the Code of Conduct on the setting up of an Executive Agency, as agreed by the Commission in its letter of 20 April 2004 and as attached to this resolution;
 3. Approves draft amending budget No 6/2004 unamended;
 4. Instructs its President to forward this resolution together with its annex to the Council the Commission and the other institutions and bodies concerned.

⁽¹⁾ OJ L 53, 23.2.2004.

⁽²⁾ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

⁽³⁾ OJ L 11, 16.1.2003, p. 1.

⁽⁴⁾ OJ L 176, 15.7.2003, p. 29.

ANNEX

CODE OF CONDUCT ON THE SETTING UP OF AN EXECUTIVE AGENCY

1. In accordance with article 3(4) of Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽¹⁾ and with article 54(2) of 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⁾, the Commission shall state its intention to set-up an executive agency in the explanatory memorandum of its proposal for a legal act of the programme itself.

⁽¹⁾ OJ L 11, 16.1.2003, p. 1.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

Thursday 22 April 2004

2. The Commission shall decide on the establishment of an Executive Agency on the basis of its assessment of the criteria laid down in Article 3 of Council Regulation (EC) No 58/2003.
3. The budgetary authority shall be informed of the results of this evaluation and about costs at least six weeks before the Commission takes the final decision to set up the Agency. In the event of duly justified reasons being raised within this period by either branch of the budgetary authority regarding the setting up of the agency, the Commission will review its proposal.
4. When the Commission contemplates setting up an Executive Agency, it informs the budgetary authority in accordance with the budgetary procedure and respecting the principle of transparency. There should be a specific financial statement for the Executive Agency. It should include quantified elements where the Commission justifies the reasons why it considers appropriate to set up an Agency to assist it in the implementation of the programme concerned. It indicates in particular:
 - a. the resources in terms of appropriations and jobs required to run the Executive Agency,
 - b. the planned secondments of officials from the Commission to the Executive Agency;
 - c. administrative resources freed by transferring tasks from the Commission departments to the Executive Agency, and the re-allocation of the human resources;
 - d. consecutive redeployment within the Commission's establishment plan including the number of vacant posts;
 - e. the impact of the creation of the Agency under headings 3 [4] and 5 of the financial perspective;
 - f. the advantages of delegating implementing tasks to an Executive Agency versus direct management by the Commission services;
 - g. a draft establishment plan per grade and per category;
 - h. the part of the programme managed internally and the part delegated to an Executive Agency;
5. The global administrative cost of the programme including internal and management expenditure for the Executive Agency (chapter 01) should be examined case by case and proportional to the tasks provided for in the programme concerned.
6. The Commission proposes, as part of the annual budget procedure, the annual subsidy to the Agency's operating budget. This subsidy is entered in the general budget of the European Union. The item in the budget may be accompanied by budget remarks, such as the references of the basic act and all appropriate explanations concerning the nature and purpose of the appropriations in accordance with Article 29 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽¹⁾. In accordance with Article 12 para 1 of Council Regulation (EC) No 58/2003, the establishment plan of the Executive Agency during the financial year concerned shall be approved by the budgetary authority and published in an annex to Section III – Commission – of the general budget of the European Union.
7. The Commission indicates regularly its forecasts (APS, PDB) for new Executive Agencies.
8. The Commission should provide the budgetary authority with the Executive Agency's draft operational budget and annual activity report as well as with an assessment report after 3 years.

⁽¹⁾ OJ L 357, 31.12.2002, p. 1.

Thursday 22 April 2004

P5_TA(2004)0360

Democracy, rule of law, human rights and fundamental freedoms in third countries *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms (COM(2003) 639 – C5-0507/2003 – 2003/0250(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 639) ⁽¹⁾,
 - having regard to Articles 251(2), 179(1) and 181a(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0507/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Development and Cooperation and the opinion of the Committee on Budgets (A5-0279/2004),
1. Approves the Commission proposal as amended;
 2. Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 4 of the Financial Perspective without restricting other policies;
 3. 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;
 4. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TC1-COD(2003)0250

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of Regulation (EC) No .../2004 of the European Parliament and of the Council amending Council Regulation (EC) No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms and Council Regulation (EC) No 976/1999 laying down the requirements for the implementation of Community operations, other than those of development cooperation, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 179(1) and 181a(2) thereof,

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

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

⁽¹⁾ OJ C [...], [...], p. [...].

⁽²⁾ Position of the European Parliament of 22 April 2004.

Thursday 22 April 2004

Whereas:

- (1) Community action to promote human rights and democratic principles as set out in the Communication of 8 May 2001 from the Commission to the Council and the European Parliament on 'The European Union's Role in Promoting Human Rights and Democratisation in Third Countries' ⁽¹⁾ shall continue beyond 2004. Council Regulation (EC) No 975/1999 of 29 April 1999 ⁽²⁾ and Council Regulation (EC) No 976/1999 of 29 April 1999 have proved to be adequate legal instruments for the implementation of the Community's technical and financial support for human rights and democratisation activities in developing and other third countries in pursuit of the overall objectives in this field. The period of validity of those Regulations, however, expires on 31 December 2004. It is, therefore, necessary to extend that period.
- (2) On the basis of the ratio of the financial reference amounts included in Regulation (EC) No 975/1999 and Regulation (EC) No 976/1999, and the indicative human rights and democratisation appropriations until 2006, an extended financial framework within the meaning of points 33 and 34 of 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⁾ should be included in the Regulations for the extended duration of the programme.
- (3) The provisions of Regulation (EC) No 975/1999 and Regulation (EC) No 976/1999 on procedures for the implementation of aid should be aligned with the legal requirements of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ in the implementation of EU Election Observation Missions.
- (4) The protection of the Community's financial interests and the fight against fraud and irregularities form an integral part of Regulation (EC) No 975/1999 and Regulation (EC) No 976/1999. In particular, agreements and contracts concluded pursuant to the Regulations should authorise the Commission to carry out the measures provided for in Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and irregularities ⁽⁵⁾.
- (5) The measures necessary for the implementation of Regulation (EC) No 975/1999 and Regulation (EC) No 976/1999 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 ⁽⁶⁾.
- (6) Regulation (EC) No 975/1999 and Regulation (EC) No 976/1999 should, therefore, be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 975/1999 is amended as follows:

1) The following point is added in Article 2(2):

'(h) supporting efforts to foster the establishment of groupings of democratic countries within United Nations bodies, specialised agencies and regional organisations.'

2) The following sentence is added at the end of Article 4(1):

'In the case of EU Election Observation Missions and 'amicus curiae' proceedings, natural persons are eligible for financing under this Regulation.'

⁽¹⁾ COM(2001) 252 final.

⁽²⁾ OJ L 120, 8.5.1999, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ C 172, 18.6.1999, p. 1. Agreement as last amended by Decision 2003/429/EC of the European Parliament and of the Council (OJ L 147, 14.6.2003, p. 25).

⁽⁴⁾ OJ L 248, 16.9.2002, p. 1.

⁽⁵⁾ OJ L 292, 15.11.1996, p. 2.

⁽⁶⁾ OJ L 184, 17.7.1999, p. 23.

Thursday 22 April 2004

- 3) The first sentence of Article 5 is replaced by the following:

'To be eligible for Community aid, the partners referred to in Article 4(1) first sentence must have their main headquarters in a third country eligible for Community aid under this Regulation or in a Member State of the Community.'

- 4) Article 7(3) is replaced by the following:

'3. Community financing under this Regulation shall take the form of grants or contracts. Within the framework of operations under Article 2, *members* of EU Election Observation Missions paid from the human rights and democratisation appropriations shall be recruited in accordance with the procedures laid down by the Commission.'

- 5) The first *paragraph* of Article 10 is replaced by the following:

'The financial *framework* for the implementation of this Regulation during the period 2005 to 2006 shall be EUR 134 million.'

- 6) Articles 11 and 12 are replaced by the following:

'Article 11

1. The Commission shall adopt the framework for the programming and identification of Community activities.

The framework shall consist, in particular, of

- (a) multiannual indicative programmes and annual updates of these programmes,
- (b) annual work programmes.

In particular situations, specific measures not covered by an annual work programme may be approved.

2. The Commission shall produce an annual report setting out programming for the coming year by region and by sector, and shall report back on the implementation to the European Parliament.

The Commission shall be responsible for managing and adapting, in conformity with this Regulation and according to the requirements of flexibility, the annual work programmes that were defined in the overall framework of the multiannual setting. The decisions made shall reflect the priorities and main concerns of the European Union for the consolidation of democracy, the rule of law and respect for human rights, and shall be determined by the unique nature of the programmes. The Commission shall keep the European Parliament fully informed of the proceedings.

3. The Commission shall implement Community operations under this Regulation in accordance with the budgetary and other procedures in force, in particular those laid down in Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (*).

Article 12

1. The instruments referred to in Article 11 (1) shall be adopted in accordance with the procedure referred to in Article 13(2).

In cases where amendments to annual work programmes referred to in Article 11(1)(b) do not exceed 20 % of the global amount allocated to them or do not substantially change the nature of the projects or programmes contained therein, those amendments shall be adopted by the Commission. It shall inform the committee referred to in Article 13(1).

2. Without prejudice to Article 14, financing decisions on projects and programmes not covered by annual work programmes and exceeding EUR 1 million shall be adopted in accordance with the procedure referred to in Article 13(2).

(*) OJ L 248, 16.9.2002, p. 1.'

Thursday 22 April 2004

7) Article 13(2) is replaced by the following:

‘2. Where reference is made to this paragraph, Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (*) shall apply, having regard to the provisions of Article 8 thereof.

The period provided for in Article 4 (3) of Decision 1999/468/EC shall be 30 days.

(*) OJ L 184, 17.7.1999, p. 23.’

8) The second sentence of Article 15 is deleted.

9) Article 17 is replaced by the following:

‘Article 17

Any agreement or contract concluded pursuant to this Regulation shall expressly provide for the Commission and the Court of Auditors to exercise their powers of control, on documents and on the premises, over all contractors and subcontractors who have received Community funds. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities’ financial interests against fraud and irregularities (*) shall apply.

(*) OJ L 292, 15.11.1996, p. 2.’

10) In the second paragraph of Article 20, the date ‘31 December 2004’ is replaced by the date ‘31 December 2006’.

Article 2

This Regulation shall enter into force on 1 January 2005.

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

P5_TA(2004)0361

European Capital of Culture 2005-2019 ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the ‘European Capital of Culture’ event for the years 2005 to 2019 (COM(2003) 700 – C5-0548/2003 – 2003/0274(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 700) (1),
- having regard to Articles 251(2) and 151(5) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0548/2003),

(1) Not yet published in the OJ.

Thursday 22 April 2004

- having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport (A5-0148/2004),
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.
-

P5_TC1-COD(2003)0274

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC amending Decision No 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 151 thereof,

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

Having regard to the opinion of the Committee of the Regions⁽²⁾,

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

Whereas:

- (1) Decision No 1419/1999/EC of the European Parliament and of the Council of 25 May 1999 establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019⁽⁴⁾ is geared towards highlighting the wealth, diversity and shared characteristics of European cultures and towards contributing to improving European citizens' mutual knowledge.
- (2) Annex I of Decision No 1419/1999/EC sets out the chronological order according to which the Member States can submit nominations for this event. The said Annex is limited to the Member States of the European Union at the time the Decision was adopted on 25 May 1999.
- (3) Article 6 of Decision No 1419/1999/EC states that this decision may be revised, in particular with a view to the future enlargement of the European Union.
- (4) In the light of the forthcoming enlargement, it is important to make it possible for the future Member States as well to submit nominations for cities in the context of the 'European Capital of Culture' event within a short period of time, without changing the order for the existing Member States so that, from 2009 onwards and until the end of the current Community action, two capitals may be selected each year in the Member States.
- (5) Decision No 1419/1999/EC should therefore be amended,

⁽¹⁾ OJ C [...], [...], p. [...].

⁽²⁾ OJ C [...], [...], p. [...].

⁽³⁾ *Position of the European Parliament of 22 April 2004.*

⁽⁴⁾ OJ L 166, 1.7.1999, p. 1.

Thursday 22 April 2004

HAVE DECIDED AS FOLLOWS:

Article 1

Decision No 1419/1999/EC is hereby amended as follows:

(1) **A new Recital 12a is inserted:**

‘(12a) Whereas account should be taken of the financial consequences of this decision in such a way as to ensure that there is adequate and appropriate European Community funding for the designation of two ‘European Capitals of Culture’;

(2) Article 2(1) is replaced by the following:

‘1. Cities in Member States shall be designated as ‘European Capital of Culture’, in turn, as set out in the list appearing in Annex I. Up until 2008 inclusive, the designation shall apply to one city of the Member State appearing on the list. From 2009 onwards, the designation shall apply to one city of each of the Member States appearing on the list. The chronological order set out in Annex I may be altered by mutual agreement between the Member States concerned. Each Member State involved shall submit, in turn, a list nominating at least two cities, or one when a Member State cannot nominate more, to the European Parliament, the Council, the Commission and the Committee of the Regions. This nomination shall be submitted no later than four years before the event in question is due to begin and may be accompanied by a recommendation from the Member State concerned.’

(3) **Article 2(2) is replaced by the following:**

‘2. From 2010 onwards, the Commission shall each year form a selection panel which shall issue a report on the nominations judged against the periods, objectives and characteristics of this action. The selection panel shall be composed of seven leading independent figures who are experts on the cultural sector, of whom two shall be appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions. In each case, the selection panel shall check the quality of the nomination, the European dimension of the programme and the viability of the structures for implementation of the proposed project. The selection panel shall submit its report to the Commission, the European Parliament and the Council.’

(4) Article 2(3) is replaced by the following:

‘3. The Council, acting on a recommendation from the Commission, shall officially designate the city in question as ‘European Capital of Culture’ for the year for which it has been nominated. From 2009 onwards, the European Parliament may forward an opinion to the Commission on the nominations not later than three months after receipt of the report. The Council, acting on a recommendation from the Commission drawn up in the light of the opinion of the European Parliament and of the selection panel’s report, shall officially designate the cities in question as ‘European Capital of Culture’ for the year for which they have been nominated.’

(5) **Article 6 is replaced by the following:**

‘Article 6

Each year the Commission shall produce a report evaluating the results of the previous year’s event, including an analysis by the organisers of the latter. This report shall be presented to the European Parliament, the Council and the Committee of the Regions. The Commission shall also in good time make any proposals for revision of this Decision which it judges necessary for the smooth operation of this action and, in particular, with a view to the enlargement of the European Union.’

(6) Annex I is replaced by the text in the Annex to this Decision.

Thursday 22 April 2004

Article 2

This Decision shall enter into force on the 20th day following its publication in the Official Journal of the European Union.

It shall apply from the entry into force of the *Accession Treaty* of 2003.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

Annex

ORDER OF ENTITLEMENT TO NOMINATE
A 'EUROPEAN CAPITAL OF CULTURE'

2005	Ireland	
2006	Greece ⁽¹⁾	
2007	Luxembourg	
2008	United Kingdom	
2009	Austria	Lithuania
2010	Germany	Hungary
2011	Finland	Estonia
2012	Portugal	Slovenia
2013	France	Slovakia
2014	Sweden	Latvia
2015	Belgium	Czech Republic
2016	Spain	Poland
2017	Denmark	Cyprus
2018	Netherlands ⁽¹⁾	Malta
2019	Italy	

⁽¹⁾ The Culture/Audiovisual Council, at its meeting of 28 May 1998, noted the exchange of positions between Greece and the Netherlands in accordance with Article 2(1) of Decision No 1419/1999/EC.

Thursday 22 April 2004

P5_TA(2004)0362

Transparency of qualifications and competences (Europass) *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council decision on a single framework for the transparency of qualifications and competences (Europass) (COM(2003) 796 – C5-0648/2003 – 2003/0307(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 796) ⁽¹⁾,
- having regard to Articles 251(2), 149 and 150 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0648/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport and the opinion of the Committee on Employment and Social Affairs (A5-0247/2004),

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.

⁽¹⁾ Not yet published in the OJ.

P5_TC1-COD(2003)0307

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC on a single framework for the transparency of qualifications and competences (Europass)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 149 and 150 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⁾,

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ OJ C ...

⁽⁴⁾ Position of the European Parliament of 22 April 2004.

Thursday 22 April 2004

Whereas:

- (1) An improved transparency of qualifications and competences will facilitate mobility throughout Europe for lifelong learning purposes, therefore contributing to the development of quality education and training, and will facilitate mobility for occupational purposes, between countries as well as across sectors.
- (2) The action plan on mobility endorsed by the European Council held in Nice on 7 and 8 December 2000 and Recommendation 2001/613/EC of the European Parliament and of the Council of 10 July 2001 on mobility within the Community for students, persons undergoing training, young volunteers, teachers and trainers ⁽¹⁾, recommended the generalisation of the use of documents for the transparency of qualifications and competences, with a view to creating a European area of qualifications. The Commission's Action Plan for skills and mobility (COM(2002)72 final) called for instruments supporting the transparency and transferability of qualifications to be developed and strengthened to facilitate mobility within and between sectors. Further action to introduce instruments improving the transparency of diplomas and qualifications was also demanded by the European Council held in Barcelona on 15 and 16 March 2002. The Council's Resolutions of 3 June 2002 on skills and mobility ⁽²⁾ and of 27 June 2002 on lifelong learning ⁽³⁾ call for increased cooperation, with a view *inter alia* to creating a framework for transparency and recognition based on the existing instruments.
- (3) **The** Council Resolution of 19 December 2002 on the promotion of enhanced European cooperation in vocational education and training called for action to increase transparency in vocational education and training ⁽⁴⁾, through the implementation and rationalisation of information tools and networks, including the integration of existing instruments into one single framework. This framework should consist of a portfolio of documents with a common brand name and a common **logo, supported** by adequate information systems and promoted through sustained promotional action at European and national level.
- (4) A number of instruments have been developed in recent years, both at Community and at international level, to help European citizens to better communicate their qualifications and competences when looking for a job or for admission to a learning scheme. These include the common European format for curricula vitae (CVs) proposed by Commission Recommendation 2002/236/EC of 11 March 2002 ⁽⁵⁾, the Diploma Supplement recommended by the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, adopted at Lisbon on 11 April 1997, the Europass Training established by Council Decision 1999/51/EC of 21 December 1998 on the promotion of European pathways in work-linked training, including apprenticeship ⁽⁶⁾, the Certificate Supplement and the European Language Portfolio developed by the Council of Europe. **The single framework should include these instruments.**
- (5) **The single framework should be open to the future inclusion of other documents consistent with its purpose. In particular, the single framework should be widened as soon as possible to include an instrument aimed at recording its holders' competences in the field of information technology.**
- (6) Provision of good quality information and guidance is an important factor in achieving improved transparency of qualifications and competences. The existing services and networks already play a valuable role that could be enhanced through closer cooperation in order to reinforce the added value of Community action.
- (7) It is therefore necessary to ensure coherence and complementarity between the actions implemented in pursuance of this Decision and other relevant policies, instruments and actions. The latter include, at Community level, the European Centre for the Development of Vocational Training (Cedefop)

⁽¹⁾ OJ L 215, 9.8.2001, p. 30.

⁽²⁾ OJ C 162, 6.7.2002, p. 1.

⁽³⁾ OJ C 163, 9.7.2002, p. 1.

⁽⁴⁾ OJ C 13, 18.1.2003, p. 2.

⁽⁵⁾ OJ L 79, 22.3.2002, p. 66.

⁽⁶⁾ OJ L 17, 22.1.1999, p. 45.

Thursday 22 April 2004

established by Regulation (EEC) No 337/75 of the Council⁽¹⁾, the European Training Foundation established by Council Regulation (EEC) No 1360/90⁽²⁾ and the European Employment Service (EURES) established by Commission Decision 2003/8/EC⁽³⁾. Likewise, at the international level, there is the European Network of National Information Centres on Academic Recognition (ENIC), established by the Council of Europe and Unesco.

- (8) The Europass training document established by Decision 1999/51/EC should therefore be replaced by a similar document with a wider scope, serving to record all periods of transnational mobility for learning purposes, at whatever level and for whatever target, achieved throughout Europe, which satisfy appropriate quality criteria.
- (9) The Europass scheme should be implemented through national bodies in compliance with Article 54(2)(c) and (3) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁴⁾.
- (10) Participation should be open to acceding States, to non-Community countries of the European Economic Area and to the candidate countries for accession to the European Union, in accordance with the relevant provisions in the instruments governing relations between the European Community and those countries. **Third country nationals resident in the European Union should also be able to benefit.**
- (11) Social partners play an important role in relation to this Decision, and should be involved in its implementation. The Advisory Committee for Vocational Training, composed of representatives of the social partners and of the national authorities of Member States, should be regularly informed on the implementation of this Decision. **The social partners at EU level will play a particular role in sectoral transparency initiatives that could be incorporated into the Europass framework in due course.**
- (12) Since the objectives of the action to be taken cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and broad scope, 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 Decision does not go beyond what is necessary in order to achieve those objectives.
- (13) Council Decision 1999/51/EC should be repealed,

HAVE ADOPTED THIS DECISION:

Article 1

Subject-matter and scope

This Decision establishes a Community framework for achieving the transparency of qualifications and competences by means of the creation of a personal, coordinated portfolio of documents, to be known as 'Europass', which citizens can use on a voluntary basis to better communicate and present their qualifications and competences throughout Europe.

The use of Europass or of any of the Europass documents does not impose any obligations or confer any rights other than those defined in this Decision.

⁽¹⁾ OJ L 39, 13.2.1975, p. 1. Regulation as last amended by Regulation (EC) No 1655/2003 (OJ L 245, 29.9.2003, p. 41).

⁽²⁾ OJ L 131, 23.5.1990, p. 1. Regulation as last amended by Regulation (EC) No 1648/2003 (OJ L 245, 29.9.2003, p. 22).

⁽³⁾ OJ L 5, 10.1.2003, p. 16.

⁽⁴⁾ OJ L 248, 16.9.2002, p. 1.

Thursday 22 April 2004

Article 2

Europass documents

The Europass documents shall be:

- (a) the European curriculum vitae (*hereinafter referred to as 'the European CV'*) referred to in Article 3;
- (b) the documents referred to in Articles 4 to 7;
- (c) any further documents approved as Europass documents by the Commission, after consulting the Europass National Agencies referred to in Article 9.

The Europass documents shall carry the Europass logo.

Article 3

European Curriculum Vitae

The European CV shall provide citizens with the opportunity to present in a clear and comprehensive way information on all their qualifications and competences.

The European CV shall be as set out in Annex I.

Article 4

MobiliPass

The 'MobiliPass' shall record periods of learning attended by holders in countries other than their own.

The 'MobiliPass' shall be as set out in Annex II.

Article 5

Diploma Supplement

The Diploma Supplement shall provide information on its holder's educational achievements at higher education level in his own country.

The Diploma Supplement shall be as set out in Annex III.

Article 6

European Language Portfolio

The European Language Portfolio shall record its holder's language competences.

The European Language Portfolio shall be as set out in Annex IV.

Article 7

Certificate Supplement

The Certificate Supplement shall describe the competences and qualifications corresponding to a vocational training certificate.

The Certificate Supplement shall be as set out in Annex V.

Thursday 22 April 2004

Article 8

Europass in the Internet

In order to implement this Decision, the Commission and the relevant national authorities shall cooperate in setting up and managing a Europass Internet-based information system, which shall include elements managed at European level and elements managed at national level.

The information system supporting the Europass framework shall be as set out in Annex VI.

Article 9

Europass National Agency (ENA)

1. Each Member State shall designate a Europass National Agency (ENA), which shall be responsible at national level for the coordination of all activities referred to in this Decision and which shall replace **or develop**, where appropriate, existing bodies currently carrying out similar activities.

A European network of ENAs is hereby established. Its activities shall be coordinated by the Commission.

2. The ENAs shall:

- (a) coordinate, in cooperation with the relevant national bodies, the activities related to making available or issuing the Europass documents, or where appropriate carry out these activities;
- (b) set up and manage the national information system, in accordance with Article 8;
- (c) promote the use of Europass, including through Internet based services;
- (d) ensure, in cooperation with the relevant bodies, that adequate information and guidance on the Europass and its documents is made available to individual citizens;
- (e) provide citizens with information and guidance on learning opportunities throughout Europe, on the structure of education and training systems, and *on* other issues related to mobility for learning purposes, in particular through close coordination with relevant Community services, **and make available to them an introductory guide to mobility**;
- (f) manage at national level the Community financial support for all activities related to this Decision;
- (g) participate in the European network, coordinated by the Commission.

3. The Europass National Agency (ENA) shall act as an implementation body at national level in accordance with Article 54(2)(c) and (3) of Regulation (EC, Euratom) No 1605/2002.

Article 10

Commission's and Member States' tasks

The Commission and the Member States shall:

- (a) ensure that adequate promotion and information activities are carried out at European and national level, **covering citizens, education and training providers and social partners including SMEs**, and supporting and integrating as necessary the action of the ENAs;
- (b) *ensure adequate* cooperation, at the appropriate level, with relevant services, in particular the EURES service and other relevant Community services;
- (c) take steps to facilitate equal opportunities, in particular by raising awareness among all relevant actors;

Thursday 22 April 2004

- (d) ensure that social partners are involved in the implementation of this Decision;
- (e) ensure that in all activities related to the implementation of the present Decision the relevant Community and national provisions concerning the processing of personal data and the protection of privacy are fully respected.

Article 11

Commission tasks

1. The Commission shall, in cooperation with the Member States, ensure the overall consistency of the actions implemented in pursuance of this Decision with other relevant Community policies, instruments and actions, in particular in the fields of education, vocational training, youth, employment, **social inclusion**, research and technological development.

2. The Commission shall secure the expertise of the European Centre for the Development of Vocational Training (Cedefop) in implementing this programme, in accordance with Regulation (EEC) No 337/75.

Subject to the same conditions and in the relevant areas, coordination shall be established under the auspices of the Commission with the European Training Foundation as set out by Regulation (EEC) No 1360/90.

3. The Commission shall regularly inform the Advisory Committee on Vocational Training on the implementation of this Decision.

Article 12

Participating countries

Participation in the activities referred to in this Decision shall be open to acceding States and to the countries, other than Member States, which are members of the European Economic Area in accordance with the conditions laid down in the EEA Agreement.

Participation shall also be open to the candidate countries for accession to the European Union in accordance with their respective *Europe Agreements*.

Article 13

Evaluation

Three years after the entry into force of this Decision **and every four years thereafter**, the Commission shall submit to the European Parliament and the Council an evaluation report on its implementation, based on an evaluation carried out by an independent body **and consultation with the social partners**.

Article 14

Financial provisions

The annual appropriations shall be authorised by the *budgetary* authority within the limits of the *Financial Perspective*.

The expenditure resulting from this Decision shall be as set out in Annex VII.

Article 15

Repeal

Decision 1999/51/EC is repealed.

Thursday 22 April 2004

Article 16

Entry into force

This Decision shall enter into force on 1 January 2005.

Article 17

Addressees

This Decision is addressed to the Member States.

Done at ..., on ...,

For the European Parliament
The President

For the Council
The President

ANNEX I

THE EUROPEAN CURRICULUM VITAE (CV)

1. Description

- 1.1. The European CV builds upon the common European format for curricula vitae (CVs) established by the Commission Recommendation 2002/236/EC of 11 March 2002 (C(2002) 516).

It provides individual citizens with a model for the systematic, chronological and flexible presentation of their qualifications and competences. Specific directions on the different fields are provided and a set of guidelines and examples has also been produced to help citizens to complete the CV.

- 1.2. The European CV includes categories for the presentation of:
- information on personal matters, language proficiency, work experience and educational and training attainments,
 - additional competences held by the individual, emphasising technical, organisational, artistic and social skills,
 - additional information which might be added to the CV in the form of one or more annexes.
- 1.3. The European CV is a personal document which *contains declarations* written by individual citizens *about themselves*.
- 1.4. The template is quite detailed, but it will be up to the individual citizens to choose which fields to fill. Citizens *who* complete the electronic form — either downloaded or on line — should be allowed to remove any field which they choose not to complete. For instance, a person *who* does not indicate his or her gender or *who* has no specific technical skill to report should be allowed to remove these fields, so that they *do not* appear as blank fields on the screen or in the printed version.
- 1.5. The European CV is the backbone of the framework: a Europass portfolio for a given citizen will include the European CV, completed by the citizen himself or herself, and one or more other Europass documents, according to the specific learning and working history of that citizen. The electronic form of the European CV should *make it possible* to establish links from its sections to the relevant Europass documents, for instance from the education and training sector to a Diploma Supplement or a Certificate Supplement.

Thursday 22 April 2004

- 1.6. In conformity with Article 10(e) of the Decision to which this Annex is attached, in managing the European CV, particularly in its electronic form, appropriate measures should be taken by the competent authorities to ensure that the relevant Community and national provisions concerning the processing of personal data and the protection of privacy are fully respected.
2. Common structure of the European CV
- In the box, the model for the structure and text of the European CV is indicated. The layout of both the paper and the electronic version, as well as modifications of the structure and text, shall be agreed between the Commission and the competent national authorities.
- Text in italics is meant as an aid to completing the document.

(Europass logo)

EUROPEAN CURRICULUM VITAE

PERSONAL INFORMATION

Individual citizens can choose which field to complete

Name, Surname, other name(s)

Address *House number, street name, postcode, city, country*

Telephone

Fax

E-mail

Nationality

Date of birth *Day, month, year*

Gender

OCCUPATIONAL PROFILE

WORK EXPERIENCE

- Dates (*from — to*) *Add separate entries for each relevant post occupied, starting with the most recent.*
- Name and address of employer
- Type of business or sector
- Occupation or position held
- Main activities and responsibilities

EDUCATION AND TRAINING

- Dates (*from — to*) *Add separate entries for each relevant course you have completed, starting with the most recent.*
- Name and type of organisation providing education and training
- Principal subjects/occupational skills covered
- Title of qualification awarded
- Level in national classification (if appropriate)

PERSONAL SKILLS AND COMPETENCES

Acquired in the course of life and career but not necessarily covered by formal certificates and diplomas.

Mother tongue *Specify mother tongue.*

Other languages *Specify language*

- Understanding
 - Reading *Indicate level: see instructions.*
 - Listening *Indicate level: see instructions.*
- Speaking
 - Conversation *Indicate level: see instructions.*
 - Presentation *Indicate level: see instructions.*
- Writing *Indicate level: see instructions.*

Thursday 22 April 2004

Social skills and competences

Living and working with other people, in positions where communication is important and situations where teamwork is essential (for example culture and sports), in multicultural environments, etc.

Describe these competences and indicate where they were acquired.

Organisational skills and competences

Coordination and administration of people, projects and budgets; at work, in voluntary work (for example culture and sports) and at home, etc.

Describe these competences and indicate where they were acquired.

Computer skills and competences

Word processing and other applications, database searching, acquaintance with Internet, advanced skills (programming etc.).

Describe these competences and indicate where they were acquired.

Technical skills and competences

With specific kinds of equipment, machinery, etc. other than computers.

Describe these competences and indicate where they were acquired.

Artistic skills and competences

Music, writing, design, etc.

Describe these competences and indicate where they were acquired.

Other skills and competences

Competences not mentioned above.

Describe these competences and indicate where they were acquired.

Driving licence(s)

State here whether you hold a driving licence and if so for which category of vehicle.

Additional information

Include here any other information that may be relevant, for example contact persons, references, etc.

Annexes

List any attached annexes.

Thursday 22 April 2004

ANNEX II

THE MOBILIPASS

1. Description

- 1.1. The 'MobiliPass' is meant to record, using a common European format, a European learning pathway as defined in section 1.2.

It is a personal document, recording the specific European learning pathway achieved by its holder.

It will help the holder to better communicate what he/she gained through this experience, particularly in terms of competences.

- 1.2. A European learning pathway is a period that a person — of whatever age, educational level and occupational status — spends in another country for learning purposes and that:

- either takes place within the framework of a Community programme in the field of education and training,
- or satisfies all the following quality criteria:
 - the period in another country takes place within the framework of a learning initiative based in the country of provenance of the person that follows it,
 - the organisation responsible for the learning initiative in the country of provenance (sending organisation) *stipulates* with the host organisation and *submits* to the Europass National Agency (or a body delegated to manage the MobiliPass) in the country of provenance, a written agreement on the content, objectives and duration of the European learning pathway, ensuring that appropriate linguistic preparation is provided to the concerned person, and identifying a mentor in the host country, charged with assisting, informing, guiding and monitoring the concerned person,
 - ***where appropriate, the sending organisation and the host organisation cooperate in providing the person concerned with appropriate information about workplace health and safety, labour law, equality measures and other work-related provisions applying in the host country,***
 - each of the countries involved must be a Member State of the European Union or an EFTA/EEA country.

- 1.3. The MobiliPass is completed by the sending **or** host **organisation** involved in the mobility project, in a language agreed between them and the person **concerned**.

Citizens who are awarded a MobiliPass are entitled to ask for a translation in a second language, chosen by them *from amongst* the languages of the sending and host organisations or a **third language**. In the case of a third language, the responsibility for translation rests with the sending organisation.

- 1.4. The MobiliPass includes personal information (*see* paragraph 2 below).

The name of the person who is awarded the MobiliPass is the only compulsory piece of personal information. The organisations completing the MobiliPass can only complete the other fields concerning personal information if the concerned person agrees to it.

The field 'Qualification' is also not compulsory, in recognition of the fact that not all education or training *initiatives* lead to a formal qualification.

Any arrangement for completing the MobiliPass in electronic form — either downloaded or on line — should allow any field which has not been completed to be removed, so that no blank field appears on the screen or in the printed version.

- 1.5. The Europass National Agency is responsible for ensuring that:

- MobiliPass documents are only released to record European learning pathways,
- all MobiliPass documents are completed in electronic form,
- all MobiliPass *documents* are also awarded to their holders in paper form, using a folder specifically produced in cooperation with the Commission.

Thursday 22 April 2004

1.6. In conformity with Article 10(e) of the Decision to which this Annex is attached, in managing the MobiliPass, particularly in its electronic form, appropriate measures should be taken by the competent authorities to ensure that the relevant Community and national provisions concerning the processing of personal data and the protection of privacy are fully respected.

2. Common format of the MobiliPass

In the box below, the structure and the text of the MobiliPass are indicated. The layout of both the paper and the electronic version, as well as modifications of the structure and text, shall be agreed between the Commission and the competent national authorities.

Each item of text is numbered, to facilitate its retrieval in a multilingual glossary. Text in italics is meant as an aid to completing the document. Fields marked with a star (*) are not compulsory.

(Europass logo)

MOBILIPASS

- (1) This MobiliPass is awarded to
- (2) *first name and surname of the holder*
- (3) by
- (4) *organisation responsible for organising the learning initiative in the country of provenance*
- (5) on date *dd/mm/yyyy*
- (6) Signature/stamp (signature and stamp of the organisation awarding the document)
- (7) Personal information on the holder
- (8) Surname
- (9) First name/Other names
- (10) Signature
- (11) * Address House number, street name, postcode, city, country
- (12) * Contact e.g. e-mail, telephone
- (13) * Date of birth *dd/mm/yyyy*
- (14) * Nationality
- (15) * *Space for photograph*
- (16) European learning pathway
- (17) Education or training initiative followed in the course of which the European pathway was completed
- (18) * *Qualification diploma, title or other certificate to which the learning initiative leads, if any*
- (19) Duration of the European pathway;
- (20) From *dd/mm/yyyy* to *dd/mm/yyyy*
- (21) Details of the host partner
- (22) Name and function of the mentor
- (23) Content of the European pathway.
- (24) *This section should provide relevant details, as appropriate, of the education or training followed or the work experience acquired during the pathway and, where appropriate, the skills and competences acquired and the method of assessment.*
- (25) *The description should highlight how the European pathway improved:*
- (26) *the acquaintance of the holder with the technical skills and competences specifically related to the particular subject field of his/her education or training initiative;*
- (27) *the holder's language skills;*
- (28) *the holder's social skills and competences **including in particular those relating to inter-cultural experiences;***
- (29) *the holder's organisational skills and competences;*
- (30) *any other skills and competences of the holder.*
- (31) Signatures of the host partner and the holder.

Thursday 22 April 2004

ANNEX III

THE DIPLOMA SUPPLEMENT

1. Description

- 1.1. The Diploma Supplement (DS) is a document attached to a higher education diploma, in order to make it easier for third persons — particularly persons in another country — to understand what the diploma means in terms of knowledge and competences acquired by its holder.

To this *end* the DS describes the nature, level, context, content and status of the studies that were pursued and successfully completed by the individual who holds the original diploma to which the DS is attached. It is therefore a personal document, referring to its specific holder.

- 1.2. The DS does not replace the original diploma and does not give any entitlement to formal recognition of the original diploma by academic authorities of other countries. On the other hand, it facilitates a sound appreciation of the original diploma, so that it can be helpful to obtain recognition by the competent authorities or *by admission* staff.
- 1.3. The DS is produced by the competent national authorities *in accordance with* a template that has been developed by a Joint European Commission — Council of Europe — Unesco working party that tested and refined it. The DS template is available in the 11 official languages of the European Union. It is a flexible, non-prescriptive tool which is conceived for practical purposes, and can be adapted to local needs.
- 1.4. The DS includes eight sections, that identify the holder of the qualification (1) and the qualification itself (2), give information on the level of the qualification (3), the contents and results gained (4) *and* the function of the qualification (5), allow for further information (6), certify the Supplement (7), and, finally, give information on the national higher education system (8). Information in all eight sections should be provided. Where information is not provided, an explanation should give the reason why. Institutions have to apply to the DS the same authentication procedures as for the diploma itself.
- 1.5. In conformity with *Article 10(e)* of the Decision to which this Annex is attached, in managing the Diploma Supplement, particularly in its electronic form, appropriate measures should be taken by the competent authorities to ensure that the relevant Community and national provisions concerning the processing of personal data and the protection of privacy are fully respected.

2. Common structure of the Diploma Supplements

In the box below, the common, non-binding model of structure and text of the Diploma Supplement is indicated. The layout of both the paper and the electronic version shall be agreed with the competent national authorities.

Thursday 22 April 2004

(Europass logo)

DIPLOMA SUPPLEMENT

1. Information identifying the holder of the qualification
 - 1.1 Family name:
 - 1.2 First name:
 - 1.3 Date, Place, Country of Birth:
 - 1.4 Student Number or Code:
2. Information identifying the qualification
 - 2.1 Name of Qualification (Full, Abbreviated):
Name of Title (Full, Abbreviated):
 - 2.2 Main Field(s) of Study for the Qualification:
 - 2.3 Name of Institution Awarding Qualification:
 - 2.4 Name of Institution Administering Studies:
 - 2.5 Language(s) of Instruction/Examination:
3. Information on the level of the qualification
 - 3.1 Level of Qualification:
 - 3.2 Official Length of Programme:
 - 3.3 Access Requirement(s):
4. Information on the contents and results gained
 - 4.1 Mode of Study:
 - 4.2 Programme Requirements:
 - 4.3 Programme Details:
 - 4.4 Grading Scheme, grade distribution guidance:
 - 4.5 Overall Classification:
5. Information on the function of the qualification
 - 5.1 Access to Further Study:
 - 5.2 Professional Status:
6. Additional information
 - 6.1 Additional Information:
 - 6.2 Additional Information Sources:
7. Certification of the supplement
This Diploma Supplement refers to the following original Documents:
Official
Stamp/Seal
8. Information on the national higher education system:
 - 8.1 Types of Institutions and Institutional Control
 - 8.2 Types of programs and degrees awarded
 - 8.3 Approval/Accreditation of *Programmes* and Degrees
 - 8.4 Organisation Studies
 - 8.4.1 Integrated 'Long' (one-Tier) *Programmes*: (Diploma degrees, Magister Artium, Staatsprüfung)
 - 8.4.2 First/Second Degree *Programmes* (Two-tier): (Bakkalauereus/Bachelor — Magister /Master degrees)
 - 8.5 Specialised Graduate Studies
 - 8.6 Doctorate
 - 8.8 Grading Scheme
 - 8.9 Access to Higher Education
 - 8.10 National Sources of Information

ANNEX IV

THE EUROPEAN LANGUAGE PORTFOLIO

1. Description

1.1. The European Language Portfolio (ELP), developed by the Council of Europe, is a document in which language learners can record their language learning and cultural experiences and competencies.

1.2. The ELP has two functions: pedagogic and reporting.

As regards the former, it is designed to enhance the motivation of language learners to improve their ability to communicate in different languages and to pursue new learning and intercultural experiences. It seeks to help learners to reflect on their learning objectives, plan their learning and learn autonomously.

As regards its reporting function, the ELP aims to document its holder's language proficiency in a comprehensive, informative, transparent and reliable way. It helps learners take stock of the levels of competence they have reached in one or several foreign languages and enables them to inform others in a detailed and internationally comparable manner. All competence is valued, regardless of whether it is gained inside or outside of formal education.

1.3. The ELP contains:

- a language passport which its owner regularly updates. The owner describes his/her language skills, *in accordance with* common criteria accepted throughout Europe,
- a detailed language biography describes the owner's experiences in each language,
- a dossier enables examples of personal work to be kept to illustrate language competencies.

The European Language Portfolio is the property of the learner.

1.4. A set of common principles and guidelines has been agreed for all Portfolios. Different models are being developed in Council of Europe member States depending on the age of learners and national contexts. All models must conform to agreed principles and be approved by the European Validation Committee in order to use the Council of Europe *logo*. A model is given *below* for the language passport, which is the section of the Portfolio which has to be completed *in accordance with* a defined structure.

1.5. In conformity with *Article 10(e)* of the Decision to which this Annex is attached, in managing the European Language Portfolio, particularly in its electronic form, appropriate measures should be taken by the competent authorities to ensure that the relevant Community and national provisions concerning the processing of personal data and the protection of privacy are fully respected.

2. Common structure of the Language Passport section of the European Language Portfolio

In the box below, the common, non-binding model of structure and text of the Language Passport section of the European Language Portfolio is indicated. The layout of both the paper and the electronic version shall be agreed with the competent national authorities.

Thursday 22 April 2004

(Europass logo) LANGUAGE PASSPORT Profile of Language Skills Mother tongue(s): <i>[indicate]</i>					
Language:	Writing	Spoken interaction	Spoken production	Reading	Listening
Self-assessment					
(To be repeated as many times as necessary.) Summary of language learning and intercultural experiences <i>Language learning and use in country/region where the language is not spoken</i>					
Language:	Up to 1 year	Up to 3 years	Up to 5 years	Over 5 years	
Primary/secondary/vocational education					
Higher education					
Adult education					
Other courses					
Regular use in the workplace					
Regular contact with speakers of the language					
Other					
Further information on language and intercultural experiences (To be repeated as many times as necessary.) Stays in a region where the language is spoken					
Language:	Up to 1 month	Up to 3 months	Up to 5 months	Over 5 months	
Using the language for study or training					
Using the language at work					
Other					
Further information on language and intercultural experiences Certificates and diplomas					
Language: Level: Title: Awarded by: Year:					
(To be repeated as many times as necessary.)					

Thursday 22 April 2004

ANNEX V

THE CERTIFICATE SUPPLEMENT

1. Description

- 1.1. The Certificate Supplement (CS) is a document attached to a vocational certificate, in order to make it easier for third persons – particularly persons in another country – to understand what the certificate means in terms of competences acquired by its holder.

To this *end*, the CS provides information on:

- the skills and competences acquired,
- the range of occupations accessible,
- the awarding and accreditation bodies,
- the level of the certificate,
- the different ways of acquiring the certificate,
- the entry requirements and access opportunities to next level *education*.

- 1.2. *The CS does not* replace the original certificate or give any entitlement to formal recognition of the original certificate by authorities of other countries. On the other hand, it facilitates a sound appreciation of the original certificate, so that it can be helpful to obtain recognition by the competent authorities.

- 1.3. Certificate Supplements are produced by the competent authorities at national level and issued to citizens who hold the corresponding certificate *in accordance with* procedures agreed at national level.

Section 2 below provides the common structure of Certificate Supplements.

2. Common structure of the Certificate Supplements

In the box below, the common model of structure and text of the Certificate Supplement is indicated. The layout of both the paper and the electronic version shall be agreed, as well as modifications of the structure and text, between the Commission and the competent national authorities.

(Europass logo)

CERTIFICATE SUPPLEMENT

1. Title of the certificate (in the original language).
2. Translated title of the certificate (this translation has no legal status).
3. Profile of skills and competences
4. Range of occupations accessible to the holder of the certificate (if applicable)
5. Official basis of the certificate
 - Name and status of the body awarding the certificate
 - Name and status of the national/regional/sectoral authority providing accreditation/recognition of the certificate
 - Level of the certificate (national or international)
 - Grading scale/Pass requirements
 - Access to next level of education/training
 - International agreements
 - Legal basis of the certificate
6. Officially recognised ways of acquiring the certificate
 - Description of vocational education and training received
 - School-/training centre-based
 - Workplace-based
 - Accredited prior learning
 - Percentage of total programme (%)
 - Duration (hours/weeks/months/years)
 - Total duration of the education/ training leading to the certificate
 - Entry/access requirements
 - Additional information

More information (including a description of the national qualifications system) available at: www.

Thursday 22 April 2004

ANNEX VI

INFORMATION SYSTEMS

The Commission and the Member States shall cooperate to ensure *that individual* citizens are allowed to complete, and later to retrieve and edit or remove, through the Internet, their European CV and any other Europass document which does not need to be issued by authorised bodies.

All Europass documents issued by authorised bodies are completed in electronic form and made available for retrieval — by their holders only — throughout Europe. While choices concerning the appropriate technological instrument should be made in cooperation by the Commission and the relevant national authorities, taking into account the state of the art and the existing national systems, the features listed below should be ensured.

1. Design principles

Open system. The Europass information system should be developed taking into account the opportunity for future developments, with particular reference to the inclusion of further documents in the Europass framework and to integration with information services on job and learning opportunities.

Interoperability. The parts of the Europass information system managed at national level in the different countries should be fully interoperable with each other and with the parts managed at European level.

2. Document management and access

2.1. All Europass documents issued by authorised bodies should be completed in electronic form, *in accordance with* the procedures agreed between the issuing bodies and the Europass National Agency and in conformity with the procedures agreed at European level.

2.2. The European CV and any other Europass document which does not need to be issued by authorised bodies should also be available in electronic form.

2.3. Citizens shall be entitled:

- to complete, and later to retrieve and edit, through the Internet their European CV and any other Europass document which does not need to be issued by authorised bodies,
- to establish, update and remove links between their European CV and their other Europass documents,
- to remove or have removed from the Europass information system any of their Europass documents,
- to attach any other supporting documents to their Europass documents,
- to print totally or partially their Europass and its annexes, if any.

2.4. Access to documents including personal information shall only be allowed to the concerned person.

ANNEX VII

FINANCIAL ANNEX

1. The expenditure is intended to co-finance implementation at national level and to cover *certain* costs incurred at Community level in relation to coordination, promotion and production of documents.

2. Community financial support to national implementation activities will be provided through yearly operating grants to the Europass National Agencies.

Europass National Agencies need to be established as legal persons and will not receive any other operating grant from the Community budget.

2.1. The grants will be awarded after approval of a work programme related to the activities listed in Article 9 of this Decision and based on specific terms of reference.

2.2. The co-financing rate shall not exceed 50 % of the total costs of the operation.

Thursday 22 April 2004

- 2.3. In *implementing* the Decision, the Commission may have recourse to experts and to technical assistance organisations, the financing of which may be provided for within the overall financial framework for the Decision. The Commission may organise seminars, colloquia or *such* other meetings of experts as are likely to facilitate the implementation of the Decision, and *may* undertake appropriate information, publication and *dissemination* actions.
-

P5_TA(2004)0363

Programme for enterprise and entrepreneurship ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (COM(2003) 758 – C5-0628/2003 – 2003/0292(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 758) ⁽¹⁾,
- having regard to Articles 251(2) and 157(3) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0628/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Employment and Social Affairs (A5-0237/2004),

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 the OJ.

P5_TC1-COD(2003)0292

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of European Parliament and Council Decision No .../2004/EC amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 157(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Economic and Social Committee ⁽¹⁾,

⁽¹⁾ OJ C ...

Thursday 22 April 2004

After consulting the Committee of the Regions,

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

Whereas:

- (1) On 5 November 1997, the Commission adopted Decision 97/761/EC approving a support mechanism for the creation of transnational joint ventures for SMEs in the Community ⁽²⁾.
- (2) The ETF Start-up Facility, the Joint European Venture (JEV) programme and the SME Guarantee Facility were measures provided for in Council Decision 98/347/EC of 19 May 1998 on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) — the growth and employment initiative ⁽³⁾.
- (3) The multiannual programme set up by Decision 2000/819/EC ⁽⁴⁾, aims at improving the financial environment for business, in particular by improving the functioning of the ETF Start-up Facility, amending the SME Guarantee Facility and, with regard to JEV, by using, for the benefit of undertakings planning to enter into a transnational partnership, the commitments effected up until 31 December 2000 under Decision 98/347/EC.
- (4) The purpose of the ETF Start-up Facility, JEV programme, and SME Guarantee Facility must be to efficiently address market failures in the access for SMEs to risk capital through enhancing participation of both private and public actors, with the aim of reaching distribution rates of 100 %.
- (5) According to point IV of Annex II to Decision 2000/819/EC, experience has shown that the JEV programme needs to be simplified in order to enable SMEs' requests for financial contributions to be dealt with quickly by the financial intermediaries and Commission departments and to ensure that Community resources are used correctly. It was also stated that the Commission was examining the possibility of adapting the eligibility criteria in order to respond more effectively to the needs of SMEs with regard to cross-border investments, including those in applicant States.
- (6) On 10 October 2002 the European Parliament adopted a resolution on the Report from the Commission to the European Parliament and the Council on Growth and Employment Initiative — measures on financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) ⁽⁵⁾, where it notes that the JEV programme in its current form is no longer appropriate.
- (7) The Commission's evaluation of the Growth and Employment Initiative as at 29 May 2002 concludes that the take-up of the JEV programme by the market is low, the job creation effect limited and the administrative cost very high and that JEV should be phased out as soon as possible.
- (8) For reasons of cost-efficiency, the Community should withdraw progressively from programmes that involve micro-management of small amounts of money, as is the case with the projects financed under the JEV programme.
- (9) After careful analysis, it has to be concluded that a substantial simplification of the JEV programme is not possible, since any substantial change to the structure or eligibility criteria of the programme would change its nature and therefore be outside the scope of the legal basis (Decision 98/347/EC). Therefore it would not be possible to use the remaining committed budget nor would it be possible to use the budget for projects involving the then accession countries and the candidate countries.

⁽¹⁾ Opinion of the European Parliament of 22 April 2004 (not yet published in the Official Journal).

⁽²⁾ OJ L 310, 13.11.1997, p. 28.

⁽³⁾ OJ L 155, 29.5.1998, p. 43.

⁽⁴⁾ OJ L 333, 29.12.2000, p. 84. Decision amended by the 2003 Act of Accession.

⁽⁵⁾ OJ C 279 E, 20.11.2003, p. 78.

Thursday 22 April 2004

- (10) The budget for the JEV programme was committed on the basis of framework agreements signed with the financial intermediaries in the JEV network, thus creating a direct legal relationship between the Commission and these intermediaries. Therefore a replacement of these existing framework agreements with direct legal agreements between the Commission and SMEs, which, in this particular programme, would have resulted in simplification and improved protection of the financial interests of the Community, is not possible.
- (11) Only relatively minor procedural changes would be possible without losing the remaining committed budget, and these are deemed to be insufficient to ensure that the JEV programme performs significantly better.
- (12) It is not possible to use the remaining committed budget for projects involving the then accession countries and the candidate countries, since this budget was committed under the Growth and Employment Initiative (1998-2000) and is therefore reserved exclusively for those states that are members of the European Union and European Economic Area, as provided by Decision 98/347/EC.
- (13) Since the phasing-out of the other two European transnational joint venture programmes — European Community Investment Partners (ECIP) for the developing countries in Asia, Latin America, the Mediterranean region and South Africa (Alamedsa countries) in 1999 and the Programme to promote SME joint ventures and other joint agreements (JOP) in the Central and Eastern European Countries (CEECs) and New Independent States (NIS) in 2000 — many financial intermediaries in the JEV network have scaled down or ceased this activity because of the low volume of JEV applications from SMEs with the result that in the majority of Member States, in reality, it is no longer possible to apply for participation in the programme.
- (14) In view of the clear conclusion of the evaluation, it is not considered appropriate to propose replacing the JEV programme with a similar one.
- (15) The phasing-out of the JEV programme should not affect the rights and obligations of the Community, the financial intermediaries or the beneficiaries (SMEs) that relate to approved projects.
- (16) In observance of their legitimate expectations, the financial intermediaries should be allowed to present applications for financial contributions for SMEs for a certain period after this Decision has been adopted.
- (17) On 23 October 2003 the European Parliament adopted a resolution on entrepreneurship in Europe, where it calls for the establishment of systems allowing improved access, in particular for small and micro-enterprises, to European Investment Bank/European Investment Fund funds for investments in new technologies and investments linked to training.
- (18) For the purpose of promoting innovation, research and development and entrepreneurship by SMEs, as requested by the Barcelona Council, an environment favourable to private sector investment in research and development, in particular through venture capital, should be encouraged.
- (19) The Commission has committed itself to reforming the existing multiannual programme for enterprise and entrepreneurship in due time taking into account the necessity of promoting cooperation between enterprises and business organisations and of supporting dialogue between horizontal and sectoral or professional organisations of small and micro-enterprises and craft enterprises.
- (20) The Council of 26 November 2002 stated that Member States, the Commission and financial institutions should consider how to improve the financial framework for biotechnologies.
- (21) The European Parliament requested, in its resolution on life sciences and biotechnologies of 21 November 2002 ⁽¹⁾, that the Commission should identify how to overcome the issue of insufficient funding regarding biotech start-ups and asked the European Investment Bank to give favourable consideration to follow-up actions.
- (22) Decision 2000/819/EC should be amended accordingly,

⁽¹⁾ OJ C 25 E, 29.1.2004, p. 384.

Thursday 22 April 2004

HAVE ADOPTED THIS DECISION:

Article 1

Decision 2000/819/EC is hereby amended as follows:

1) Article 5(1) shall be replaced by the following:

‘1. The Commission shall submit to the European Parliament and to the Council an annual report on the implementation of the financial instruments of this programme for 2004 as well as a similar end report for 2005 (the final year)’

2) Annex I shall be amended as follows:

(a) in the first indent of point 4(a)(i), the first sentence shall be replaced by the following:

‘— by investing in relevant specialised venture capital funds, particularly in seed funds, smaller funds, funds operating regionally or funds focused on specific sectors or technologies, or venture capital funds financing R & D, e.g. funds linked to research centres and science parks which in turn provide risk capital for SMEs.’

(b) in point 4(a)(i) the following subparagraph shall be added:

‘The start-up phase is normally defined as up to 5 years. However, for companies in specific high technology sectors, in particular life sciences, the start-up phase can be up to 10 years, due to the extended pre-commercialisation product development and testing phases that are characteristic of these particular sectors.’

(c) in point 4(a)(iv), the following subparagraphs shall be added:

‘The Joint European Venture programme shall be phased out.

The financial intermediaries may present applications for financial contributions from SMEs to the Commission until (‘).

Applications and projects shall be dealt with according to Article 4 and Annex II of Council Decision 98/347/EC of 19 May 1998 on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) — the growth and employment initiative (‘’).

(‘) 115 days after the date of entry into force of Decision No .../2004/EC of the European Parliament and of the Council amending Council Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005).

(‘’) OJ L 155, 29.5.1998, p. 43.’

(d) in the first indent of point 5, the word ‘fifth’ shall be deleted;

3) in Annex II, point IV shall be deleted.

Article 2

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

Article 3

This Decision is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

Thursday 22 April 2004

P5_TA(2004)0364

More accessible digital content *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council decision establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable (COM(2004) 96 – C5-0082/2004 – 2004/0025(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 96) ⁽¹⁾,
- having regard to Articles 251(2) and 157(3) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0082/2004),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinions of the Committee on Budgets and the Committee on Legal Affairs and the Internal Market (A5-0235/2004),

1. Approves the Commission proposal as amended;
2. Considers that the financial statement of the Commission proposal for the period 2005-2006 is compatible with the ceiling of heading 3 of the current Financial Perspective without restricting other policies; the appropriations for the period 2007-2008 will be reassessed in the light of the new Financial Perspective for the period beyond 2006;
3. 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;
4. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ Not yet published in the OJ.

P5_TC1-COD(2004)0025

Position of the European Parliament adopted at first reading on 22 April 2004 with a view to the adoption of Decision No .../2004/EC of the European Parliament and of the Council establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 157(3) 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⁾,

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ OJ C ...

⁽⁴⁾ Position of the European Parliament of 22 April 2004.

Thursday 22 April 2004

Whereas:

- (1) The evolution of the Information Society and the emergence of broadband will influence the life of every citizen in the European Community by, inter alia, stimulating access to knowledge and new ways of acquiring knowledge thus increasing the demand for new content, applications and services.
- (2) Internet penetration in the Community is still growing considerably. The opportunities offered by the Internet should be exploited to bring every individual and organisation in the Community the social and economic benefits of sharing information and knowledge. The stage has now been set in Europe to exploit the untapped potential of digital content.
- (3) The *Presidency Conclusions* of the European Council held in Lisbon on 23 and 24 March 2000 stressed that the shift to a digital, knowledge-based economy, prompted by new goods and services, will be a powerful engine for growth, competitiveness and jobs. On that occasion the role of the content industries in creating added value by exploiting and networking European cultural diversity was specifically recognised.
- (4) The *eEurope 2005 Action Plan*⁽¹⁾, developing the Lisbon strategy, calls for actions to stimulate the emergence of secure services, applications and content over broadband network and thus to stimulate a favourable environment for private investment, for the creation of new jobs, to boost productivity, to modernise public services, and to give everyone the opportunity to participate in the global information society.
- (5) The demand for quality digital content in Europe, with balanced access and user rights, by a broad community, be they citizens in society, students, researchers, business users wishing to augment their knowledge, or 'reusers' wishing to exploit digital content resources to create services, is increasingly apparent.
- (6) The *eContent Programme*⁽²⁾ (2001-2004) favoured the development and use of European digital content on the Internet and the linguistic diversity of European web-sites in the Information Society. The Communication of the Commission⁽³⁾ concerning the mid term evaluation the *eContent* programme reaffirms the importance to act in this field.
- (7) Technological advances offer the potential to add value to content in the form of embedded knowledge and to improve interoperability at the service level, which is fundamental to access and use and distribute digital content. This is particularly relevant for areas of public interest such as learning and culture and more generally for public sector information.
- (8) A legislative framework has been defined to deal with the challenges of digital content in the Information Society⁽⁴⁾.
- (9) Different practices among Member States continue to pose technical obstacles impeding wide access, use, reuse and exploitation of public sector information in the Community.

⁽¹⁾ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions — *eEurope 2005: An information society for all — An Action Plan* to be presented in view of the Sevilla European Council, 21/22 June 2002 (COM(2002) 263).

⁽²⁾ Council Decision 2001/48/EC of 22 December 2000 adopting a multiannual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information society (OJ L 14, 18.1.2001, p. 32).

⁽³⁾ COM(2003) 591.

⁽⁴⁾ Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (OJ L 345, 31.12.2003, p. 90). Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 167, 22.6.2001, p. 10). Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases (OJ L 77, 27.3.1996, p. 20).

Thursday 22 April 2004

- (10) Where the digital content involves personal data, Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽¹⁾ and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ⁽²⁾ should be respected and the technologies used should be privacy-compliant and, where possible, privacy-enhancing.
- (11) Community actions undertaken concerning the content of information should promote the Community's multilingual and multicultural specificity.
- (12) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽³⁾.
- (13) Complementarity and synergy with related Community initiatives and programmes should be ensured by the Commission, in particular those related to education and culture and to the European Interoperability Framework.
- (14) This act establishes a financial framework for the entire duration of the programme which *constitutes the prime* reference for the budgetary authority, within the meaning of point 33 of 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 ⁽⁴⁾.
- (15) Since the objectives of the proposed actions cannot be sufficiently achieved by the Member States due to the transnational character of the issues at stake and can, therefore, by reason of the European scope and effects of the actions 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 Decision does not go beyond what is necessary in order to achieve those objectives.
- (16) **Digital content stakeholders refer to content providers (including organisations that create, collect or own digital content) and content users (including organisations and enterprises that are end-users, or re-use or add value to digital content),**

HAVE DECIDED AS FOLLOWS:

Article 1

Objective of the Programme

1. This Decision establishes a Community programme to make digital content in the Community more accessible, usable and exploitable, facilitating the creation and diffusion of **information — in** areas of public interest — at Community level.

The programme shall be known as the 'eContentplus' programme (hereinafter 'the Programme')

2. In order to attain the overall aim of the Programme referred to in paragraph 1, the following lines of action shall be addressed:

- facilitating **at Community level** access to digital content **in areas of public interest**, its use and exploitation;

⁽¹⁾ OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 201, 31.7.2002, p. 37.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁴⁾ OJ C 172, 18.6.1999, p. 1. Directive as amended by European Parliament and Council Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

Thursday 22 April 2004

- facilitating **improvement of** quality and **enhancing** best practice related to digital content **between content providers and users, and across sectors in the areas of public interest;**
- reinforcing *cooperation between digital content stakeholders.*

The activities to be carried out under those lines of action are set out in Annex I. The Programme shall be implemented in accordance with Annex II.

Article 2

Participation

1. Participation in the Programme shall be open to legal entities established in the Member States. It shall also be open to participation of candidate countries in accordance with bilateral agreements to be concluded with those countries.
2. Participation in the Programme may be opened to legal entities established in EFTA States which are contracting parties to the EEA Agreement, in accordance with the provision of that Agreement.
3. Participation in the Programme may be opened, without financial support by the Community, to legal entities established in third countries and to international organisations, where such participation contributes effectively to the implementation of the Programme. The decision to allow such participation shall be adopted in accordance with the procedure referred to in Article 4(2).

Article 3

Competences of the Commission

1. The Commission shall be responsible for the implementation of the Programme.
2. The Commission shall draw up a work programme on the basis of this Decision.
3. The Commission shall act in accordance with the procedure referred to in Article 4(2) for the purposes of the following:
 - (a) adoption and modifications of the work programme;
 - (b) determination of the criteria and content of calls for the proposals, in line with the objectives set out in Article 1;
 - (c) any departure from the rules set out in Annex II;
4. The Commission shall inform the committee of progress with the implementation of the Programme.

Article 4

Committee

1. The Commission shall be assisted by a committee.
2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to Article 8 *thereof*.
3. *The Committee shall adopt its rules of procedure.*

Thursday 22 April 2004

Article 5

Monitoring and Evaluation

1. In order to ensure that Community aid is used efficiently, the Commission shall ensure that actions under this Decision are subject to prior appraisal, follow-up and subsequent evaluation.
2. The Commission shall monitor the implementation of projects under the Programme. On completion of a project, the Commission shall evaluate the manner in which they have been carried out and the impact of their implementation in order to assess whether the original objectives have been achieved.
3. The Commission shall submit an evaluation report on the implementation of the lines of action referred to Article 1(2) to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions by January 2007 at the latest. ***In the context of this evaluation, the Commission shall report on the consistency of the amount for 2007-2008 with the financial perspective. If applicable, the Commission shall take the necessary steps within the budgetary procedures for 2007-2008 to ensure the consistency of the annual appropriations with the financial perspective.*** The Commission shall submit a final evaluation report at the end of the Programme.
4. ***The Commission shall forward the results of its quantitative and qualitative evaluations to the European Parliament and the Council together with any appropriate proposals for the amendment of this Decision. The results shall be forwarded before presentation of the draft general budget of the European Union for the year 2007 and 2009 respectively.***

Article 6

Financial provisions

1. The ***financial framework for the implementation of the Community action under this Decision for the period from 1st January 2005 to 31 December 2008 is hereby set at EUR 163 million, of which EUR 55,6 million is for the period until 31 December 2006.***
2. ***For the period following 31 December 2006, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial perspective in force for the period commencing in 2007.***
3. ***The annual appropriations for the period from 2005 to 2008*** shall be authorised by the budgetary authority within the limits of the financial perspective. An indicative breakdown of expenditure is given in Annex III.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

ANNEX I

ACTIONS

1. INTRODUCTION

eContentplus has the overall aim to make digital content in Europe more accessible, usable and exploitable, facilitating the creation and diffusion of information and knowledge — in areas of public interest — at the Union level.

Thursday 22 April 2004

It will create better conditions for accessing and managing digital content and services in multilingual and multicultural environments. It will broaden users' choice and support new ways of interacting with knowledge-enhanced digital content, a feature which is becoming essential to make content more dynamic and tailored to specific contexts (learning, cultural, etc.).

The programme will pave the way for a structured framework for quality digital content in Europe — The European Digital Content Area — by facilitating transfer of experiences, best practice and cross-fertilisation between content sectors, content providers and users.

Three sets of measures are foreseen:

- Facilitating *at Community level* access to digital content *in areas of public interest*, its use and exploitation
- Facilitating *improvement of* quality and *enhancing* best practice *related to* digital content *between content providers and users, across sectors in the areas of public interest*
- Reinforcing *cooperation between digital content stakeholders*.

2. LINES OF ACTION

2.1 Facilitating *at Community level* access to digital content *in areas of public interest*, its use and exploitation

The activities encompass the establishment of networks and alliances between stakeholders, encouraging the creation of new services.

Target areas are public sector information, spatial data, learning and cultural content.

Focus will be on:

- supporting a wider recognition of the importance of public sector information (PSI), its commercial value and associated societal implications of its use. Activities shall improve effective cross-border use and exploitation of PSI between public sector organisations and private companies for added-value information products and services.
- encouraging a wider use of spatial data by public sector bodies, private companies and citizens through co-operation mechanisms at European level. Activities should tackle both technical and organisational issues, avoiding duplications and underdeveloped territorial data sets. They should promote cross-border interoperability, supporting co-ordination between mapping agencies and fostering the emergence of new services at European level for mobile users. They should also support the use of open standards.
- fostering the proliferation of open European knowledge pools of digital objects, for education and research communities, as well as the individual. The activities will support the creation of trans-European brokering services for digital learning content, with associated business models. The activities should also encourage the use of open standards, and the creation of large user groups analysing and testing pre-standardisation and specifications schemas with a view to convey European multilingual and multicultural aspects into the process of definition of global standards for digital learning content.
- promoting the emergence of trans-European information infrastructures for accessing and using high quality European digital cultural and scientific resources through the linking of virtual libraries, community memories, etc. Activities should encompass co-ordinated approaches to digitisation and collec-

Thursday 22 April 2004

tion building, preservation of digital objects, inventories of cultural and scientific digital resources. They should improve access to digital cultural and scientific assets through effective licensing schemas and collective pre-emptive clearing of rights.

2.2 Facilitating **improvement of** quality and **enhancing** best practice related to digital content **between content providers and users, and across sectors in the areas of public interest**

The activities intend to facilitate the identification and wide diffusion of best practice in methods, processes and operations to achieve higher quality, greater efficiency and effectiveness on the creation, use and distribution of digital content.

They encompass experiments that demonstrate searchability, usability, re-usability, composability and interoperability of digital content within the context of the existing legal framework while meeting from the early stage of the process the requirements of different target groups and markets in an increasingly multilingual and multicultural environment, and to this end extending beyond mere localisation technologies.

They shall exploit the benefits of enhancing digital content with machine-understandable data (semantically well defined metadata based on relevant descriptive terminology, vocabularies and ontologies).

The experiments shall be conducted in thematic clusters. The gathering, dissemination and cross-sector fertilisations of gained knowledge shall be integral part of the experiments.

Target application areas are public sector information, spatial data, digital learning and cultural content, as well as scientific and scholarly digital content.

2.3 Reinforcing **cooperation between digital content stakeholders**

The activities include measures accompanying relevant legislation relating to digital content, and supporting collaboration between public sector **actors**. **They** will identify and analyse emerging opportunities and problems (e.g. trust, quality marking, Intellectual Property Rights (IPR) in education), and propose, as appropriate, solutions.

ANNEX II

THE MEANS FOR IMPLEMENTING THE PROGRAMME

(1) The Commission will implement the programme in accordance with the technical content specified in Annex I.

(2) The programme will be executed through indirect action comprising:

(a) shared-cost actions

- Projects designed to augment knowledge to improve existing products, processes and/or services and/or to meet the needs of Community policies. The Community funding will normally not exceed 50 % of the cost of the project. Public sector bodies may be reimbursed on the basis of 100 % of additional costs
- Best practice actions to spread knowledge. They will normally be conducted in thematic clusters and linked through thematic networks. The Community contribution for the measures set out under this indent will be limited to direct costs deemed necessary or appropriate for achieving the specific objectives of the action.

Thursday 22 April 2004

- Thematic networks: networks bringing together a variety of stakeholders around a given technological and organisational objective, so as to facilitate co-ordination activities and transfer of knowledge. They may be linked to best practice actions. Support will be granted towards the additional eligible costs of co-ordinating and implementing the network. The Community participation may cover the additional eligible costs of these measures.
- (b) accompanying measures
- Accompanying measures will contribute to the implementation of the programme or the preparation of future activities. Measures devoted to the commercialisation of products, process or services, marketing activities and sales promotion are excluded.
 - studies in support of the programme, including the preparation of future activities;
 - exchange of information, conferences, seminars, workshops or other meetings and the management of clustered activities;
 - dissemination, information and communication activities;
- (3) The selection of shared-cost actions will be based on calls for proposals published on the Commission's Internet site in accordance with the financial provisions in force.
- (4) Applications for Community support should provide, where appropriate, a financial plan listing all the components of the funding of the projects, including the financial support requested from the Community, and any other requests for or grants of support from other sources.
- (5) Accompanying measures will be implemented through calls for tenders in accordance with the financial provisions in force.

ANNEX III

INDICATIVE BREAKDOWN OF EXPENDITURE

1) Facilitating at Community level access to digital content in areas of public interest , its use and exploitation	35-45 %
2) Facilitating improvement of quality and enhancing best practice related to digital content between content providers and users, and across sectors in the areas of public interest	50-60 %
3) Reinforcing co-operation between digital content stakeholders	6-10 %
-

P5_TA(2004)0365

EC-Pakistan Cooperation Agreement *

European Parliament legislative resolution on the proposal for a Council decision on the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development (8108/1999 – COM(1998) 357 – C5-0659/2001 – 1998/0199(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(1998) 357) ⁽¹⁾,
- having regard to the draft cooperation agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development (8108/1999),

⁽¹⁾ OJ C 17, 22.1.1999, p. 6.

Thursday 22 April 2004

- having regard to Articles 133, 181 and 300(2), first subparagraph of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0659/2001),
 - having regard to its numerous previous resolutions on human rights,
 - having regard to Rules 67 and 97(7) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinions of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, the Committee on Industry, External Trade, Research and Energy and the Committee on Development and Cooperation (A5-0275/2004),
1. Approves conclusion of the agreement;
 2. Asks the Commission to present to Parliament one year after the entry into force of the agreement a report on its implementation and on its effect on human rights and democratisation and, should there be no improvement in human rights and democracy, to consider what steps are necessary;
 3. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the Islamic Republic of Pakistan.

P5_TA(2004)0366

Guidelines for employment policy in the Member States *

European Parliament legislative resolution on the proposal for a Council decision on guidelines for the employment policies of the Member States (COM(2004) 239 – C5-0188/2004 – 2004/0082(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004) 239) ⁽¹⁾,
 - having regard to Article 128(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0188/2004),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Employment and Social Affairs (A5-0277/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the OJ.

Thursday 22 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendments 1 and 5

Recital 3

(3) The examination of the Member States' National Action Plans for employment contained in the Joint Employment Report 2003-2004 shows that Member States and the social partners should give priority to increasing adaptability of workers and enterprises; attracting more people to enter and remain on the labour market and making work a real option for all; investing more and more effectively in human capital and lifelong learning; and ensuring effective implementation of reforms through better governance. These priorities are fully consistent with and can be pursued in the context of the current Guidelines.

(3) The examination of the Member States' National Action Plans for employment contained in the Joint Employment Report 2003-2004 shows that Member States and the social partners should give priority to increasing adaptability of workers and enterprises; attracting more people to enter and remain on the labour market, **facilitating the access of unemployed young people to their first job and also the employment/continuance in employment of older people** and making work a real option for all; investing more and more effectively in human capital **as well as in research and development** and lifelong learning; and ensuring effective implementation of reforms through better governance. These priorities are fully consistent with and can be pursued in the context of the current Guidelines.

Amendment 2

Recital 5a (new)

(5a) The conclusions of the Employment Task Force, which are important, should be taken on board by Member States when implementing the Employment Guidelines, namely with a view in particular to improving the adaptability of workers and attracting and retaining more people in the work place and investing in skills and lifelong learning. These conclusions should be incorporated instead of new objectives being continually set or existing ones amended. In such a way, the European Union should confront Member States when they under-perform and urge Member States to focus on implementing what has already been agreed.

Amendment 3

Recital 5b (new)

(5b) The European Employment Strategy requires enhanced and improved democratic involvement. To succeed in this, governments need to take concrete measures to mobilise the support and participation of the various stakeholders, and convince the public of the need for reforms. Furthermore, greater efforts should be made to demonstrate to the general public why reform is necessary and why it is in the interest and to the advantage of all.

Amendment 4

Recital 5c (new)

(5c) Member States' performance in respect of the Employment Guidelines should be assessed and measured rigorously so as to ensure absolute validity and reliability of the Guidelines.

Thursday 22 April 2004

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 6

Recital 5d (new)

(5d) To promote economic and social cohesion, the guidelines for employment should also, through the European Social Fund, have the aim of reducing regional disparities in terms of jobs and unemployment, and combating de-industrialisation and relocations outside the Member States, while positively supporting economic and social reconversion, yet without neglecting to back up the development of the most dynamic areas.

Amendment 7

Recital 5e (new)

(5e) In the current context of international competition and globalised trade, the European Employment Strategy should encourage companies to anticipate economic and technological change. Member States should encourage the development of research and support the dissemination of innovation in European enterprises. In this spirit, the European institutions will support initiatives to enable platforms of excellence to be set up between researchers and enterprises. They will encourage subject-based initiatives within the framework of the European programmes.

Amendment 8

Recital 5f (new)

(5f) In the context of financial allocation, the European institutions should provide support in a spirit not just of assistance but also of economic dynamism. Thus the European institutions should do their utmost to avoid adding complexity to the Member States' policies and on the contrary play a facilitating role. They will endeavour to make procedures for access to European funding simpler and more flexible, and to promote linkages between the various Community programmes.

P5_TA(2004)0367

Financial perspectives after 2006

European Parliament resolution on building our common future: policy challenges and budgetary means of the enlarged Union 2007-2013 (COM(2004) 101 – C5-0089/2004 – 2004/2006(INI))

The European Parliament,

- having regard to the Communication from the Commission (COM(2004) 101),
- having regard to the EC Treaty, and in particular its articles 268-276,

Thursday 22 April 2004

- having regard to Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources ⁽¹⁾,
 - having regard to the Draft Treaty establishing a Constitution for Europe ⁽²⁾,
 - having regard to its resolution of 18 December 2003 on the future budgetary requirements for external actions 2003/2037 ⁽³⁾,
 - 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 Budgetary Control, the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, the Committee on Industry, External Trade, Research and Energy, the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Consumer Policy, the Committee on Agriculture and Rural Development, the Committee on Fisheries, the Committee on Regional Policy, Transport and Tourism, the Committee on Culture, Youth, Education, the Media and Sport, the Committee on Development and Cooperation and the Committee on Women's Rights and Equal Opportunities (A5-0268/2004),
- A. whereas the current financial perspective is in force until the end of the year 2006,
- B. whereas the promotion of social and economic cohesion has been affirmed as one of the goals of the European Union,
- C. whereas the financial perspective is part of a global interinstitutional agreement which can only be renewed in a context of mutual confidence between the institutions and joint agreement between the two arms of the budgetary authority,
- D. whereas Article 272 of the EC Treaty provides for the adoption of annual budgets even in the absence of a financial perspective,
- E. whereas the experience of the financial perspective starting in 1988, 1993 and 1999 respectively, has proved useful in ensuring a non-conflictual development of the budget,
- F. whereas the European Convention proposed to include the financial perspective into the Constitution through a European law adopted by the Council after conciliation with the European Parliament and after obtaining its consent (Article I-54 and Article III-308),
1. Recalls that the current financial perspective is in force until the end of the year 2006;
 2. Takes note of the Communication presented by the Commission in accordance with Article 26 of 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 ⁽⁴⁾, with a view to ensuring continuity with the current financial framework after 1 January 2007;
 3. Recalls that there will be no financial perspective without an agreement between the European Parliament and the Council on the financial package, as the existing Treaty foresees no obligation to have a financial perspective and only provides for annual budgets;
 4. Recalls that, although the financial perspective has guaranteed a framework to develop new policies favouring European integration, it has also imposed more rigidity between different areas of expenditure (headings) and has constrained the European Parliament to abandon certain powers, for example the right to shape significantly the budget on the basis of the Treaty provisions;

⁽¹⁾ OJ L 253, 7.10.2000, p. 42.

⁽²⁾ OJ C 169, 18.7.2003, p. 1.

⁽³⁾ P5_TA(2003)0589.

⁽⁴⁾ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

Thursday 22 April 2004

5. Considers that, on a fair institutional basis, the current Commission, Parliament and Council – in which the new Member States do not yet participate – should restrict themselves to setting broad orientations for the future financial perspective including the legislative proposals to be proposed by the new Commission coming into office in November 2004, which are to be decided by the newly elected Parliament and the enlarged Council;
6. Is determined, for democratic reasons, to take no decision during this parliamentary term which might restrict the scope or decision-making powers of the Parliament elected in June 2004; however, with a view to maintaining institutional continuity, invites the next Parliament, the next Commission and the enlarged Council to take account of the orientations contained in this report as a basis for future negotiations;
7. Welcomes an approach to associate resource needs and goals with an emphasis on the added value of Community spending over national budgets;
8. Recalls that Article 6(4) of the Nice Treaty states that the Union shall provide itself with the means necessary to obtain its objectives and carry through its policies;
9. Stresses that, should the Constitution not be in force during the next financial perspective, the possibility of maintaining annual procedures could be considered in order to avoid a subsequent revision aimed at adjusting resources to the new activities foreseen;
10. Stresses that the global amounts should take into account the needs of current and future legislative proposals so as to ensure the continuity of Community action; asks the Commission to submit to Parliament and the Council the basic reference documents and to inform Parliament of the programmes which the Commission proposes to continue or discontinue; invites the new Commission and the new Parliament to make a parallel evaluation of the Union's political priorities at legislative and budgetary level, serving as a basis for the political and budgetary choices underlying the financial framework;
11. Assumes that the amounts made available as EU resources should allow the EU to achieve the crucial and strategic objectives mentioned in the draft constitution;
12. Considers that the final contents of the Communication should be examined in order to evaluate whether the enlarged Union can fulfil its political commitments and in this sense whether it complies with its legitimate expectations;

Horizontal issues

On the timeframe

13. Reiterates its will, as already expressed in its report to the European Convention and widely taken on board by the draft Constitution (Article III-308), to have a financial framework established for a period of 5 years; takes the view that, for reasons of democratic responsibility and accountability, it is essential that the timeframe be better adapted to the mandates of the Parliament and the Commission;
14. Considers that Parliament is not bound by the decision taken by the European Council of October 2002 on agricultural spending until 2013 and sees no reason to accept a 7-year period for the new financial perspective as a result of this decision;

On the GNI ceilings

15. Deplores the confusion created in the beginning of the process between commitments and payments appropriations in terms of percentage of GNI ceiling and considers that the gap between the two is questionable from a political and budgetary point of view; recalls that, for reasons of sound management, there should be an orderly relation between commitments and payments;

Thursday 22 April 2004

16. Points out that the ceilings established by the decision on the system of own resources are 1,31 % in commitment appropriations of GNI and 1,24 % in payment appropriations of GNI and that, in the interest of transparency, the Commission should also present the total appropriations for commitments which will reach 1,27 % of GNI in 2013 against the ceiling of own resources for commitments;

17. Is of the opinion that, after having evaluated its political priorities at legislative and budgetary level, it is the Union's responsibility to define the tasks of the Union in the context of a medium-term policy strategy and, on that basis, to foresee adequate resources;

18. Notes that during the period 1996-2002, the EU budget (with 15 Member States) increased by 8,2 % while the national budgets increased by an average of 22,9 % showing the rigour and thrift of the arms of the budgetary authority;

On the profile

19. Points out the discrepancy between the profile of commitment appropriations and that of payment appropriations; notes that the progressive and linear increase in commitments compared to the irregular development of payments will further extend the gap between the two; believes that, as regards forthcoming legislative proposals, the profiles should be better adapted to the programme cycles;

20. Considers that, before any decisions are made on the global ceiling of the financial framework, the Commission should further clarify its proposal as regards the ratio between commitment appropriations and payment appropriations for any given year during the period covered by the framework and indicate clearly how this affects implementation; looks to the Commission to provide, in particular, information as to how, under the new financial framework, delays in the disbursement of appropriations in the structural policy sphere can be avoided; invites the Commission to present such an analysis by summer 2004, bearing in mind the requirement for an orderly relation between commitments and payments;

On the structure

21. Asks the Commission to provide the budgetary authority with a comparative table indicating the current nomenclature by programmes and with the magnitude of expenditure foreseen in order to facilitate the comparison with the current situation;

22. Welcomes the Commission's efforts to reduce the number of headings (8 to 5); notes, however, that the number of subheadings has increased; considers that a restricted number of headings should not create more rigidity; is of the opinion that the current system has in general proved its efficiency; reserves its position until the Commission submits more in-depth information for its reasoning and this has been evaluated by Parliament;

23. Recalls that, owing to insufficient resources foreseen within the relevant heading of expenditure on the one hand and rigidity between the different headings on the other, the flexibility instrument foreseen in Point 24 of the Interinstitutional Agreement of 6 May 1999 had to be mobilised in 2000, 2001 and 2002 in order to cover unforeseen needs; asks the Commission to clarify the different flexibility mechanisms foreseen between headings and within headings and to take due account of the different options proposed by Parliament during the negotiations on the current financial perspective;

24. Regrets that the Commission has not proposed a specific reserve for external actions to deal with unforeseen crises, whilst it has proposed a Growth Adjustment Fund of EUR 1 billion for the new heading 1a;

25. Stresses that the need to strengthen growth and competitiveness and economic and social cohesion between the Member States are major objectives for the enlarged Union;

26. Recalls that the decision of the European Council of October 2002, to which reference is made in the accession Treaty (Annex XV), on agricultural expenditure, aimed to fix a ceiling and not a bottom line; intends to evaluate the consequences of such decision in a more global context;

Thursday 22 April 2004

27. Stresses the need to maintain visibility for the administrative expenditure of the Commission with clear identification;

28. Underlines that the financial framework agreed in 1999 for the period 2000-2006 did not foresee any increase in own resources; notes that for the time being, the Commission proposal (for 27 Member States) does not foresee any increase in the own resources ceiling either;

29. Reiterates its will to integrate the EDF into the general budget according to the principle of unity and to ensure a democratic control over this important part of the EU development policy, without prejudice to the overall volume of EU assistance to the poorest countries;

30. Confirms the need to reform the current system of own resources in order to give it more visibility for European citizens and to take national considerations into account; is ready to evaluate proposals for a general correction mechanism based on the principle of Community solidarity;

Specific areas

31. Invites the Commission to take into account the opinions of the Parliament's specialised committees annexed to the current report, of which the priorities are outlined in the paragraphs below;

Competitiveness for growth and employment

32. Agrees with the Commission that the strengthening of the European effort in research and technological development constitutes a major objective of the enlarged European Union; recalls in particular the importance of having appropriate funding, both at Community and national level, with a proper balance between public and private financing; expresses concern that access to R & D capital for European SMEs is still limited and that R & D spending by SMEs is 3-6 times higher in the US; notes that the completion of a 'European research area' is important to sustainable development, but is nevertheless concerned by the urgent need for concrete instruments to attain the objectives contained in the Communication; in addition, stresses the contribution of the energy sector for sustainable development, stresses in particular the importance of transferring and developing existing instruments (e.g. the Intelligent Energy Programme) in the enlarged European Union, and calls for appropriate European action in both energy supply and the development of trans-European networks;

33. Welcomes the priority given by the European Commission to the promotion of the competitiveness of enterprises, especially through:

- improved access to Community financial instruments for SMEs;
- the promotion of technology transfer, building of innovation networks and coordination between European undertakings;
- enhancing European competitiveness and productivity through further development of the information society;
- developing and promoting international standards for ICT and mobile telecommunication technology (e.g. 3G).

In order to attain the objectives laid down in the Communication, requests the Commission to present as soon as possible the appropriate legislative and non-legislative proposals with the aim of fulfilling the broader objective of sustainable development;

34. Recalls that, under Article 3(2) of the EC Treaty, the promotion of gender equality is a fundamental principle of the EU and should be implemented in all Community actions and programmes; calls on the Commission to ensure that gender is taken into account in all main expenditure headings of the new financial framework (2007-2013) and that targets and benchmarks are set;

Thursday 22 April 2004

35. Requests that, according to the objectives set in the Lisbon strategy and the Barcelona European Council targets to reconcile family and work through the creation of childcare facilities, an adequate proportion of the 16 % EU resources for competitiveness for growth and employment be allocated to raise the percentage of employed women in the enlarged EU, taking into account the special need to promote the socio-economic and employment situation of women in the new Member States;

36. Welcomes the importance that the Commission is attaching to the social policy agenda, in particular, support for social dialogue and initiatives to help anticipate and manage change; points out, bearing in mind especially that new Member States are about to join the Union, that such initiatives will be vital for internal cohesion and social harmony; points out that the social dialogue provided for in the Treaties needs to be strengthened, especially in the new Member States;

37. Expects that the main imperative, particularly in the new Member States, will be to implement labour legislation, including health and safety legislation, in particular by fostering best practice;

38. Is consequently of the opinion that the next Structural Fund reform should be based on the following principles: concentration of tasks, administrative simplification and a new allocation formula, having regard not least to the take-up capacity of the recipient regions;

39. Points out that a high level of public health also contributes to sustainable development, high employment and general welfare; assumes that enlargement will increase the variety of problems related to public health; in order to address the emerging challenges, calls for a new financial instrument on public health to come into operation after the expiry of the present action programme;

40. Believes that greater financial support for student mobility must be matched by a commitment to ensuring that such expenditure has a genuinely additional effect; notes that the inadequacy of student mobility grants has meant that, hitherto, it has generally been students from more prosperous backgrounds who have been able to take advantage of student mobility schemes; urges the Member States to ensure real access to these grants, taking into account the financial need of applicants in accordance with the definition of 'need' as laid down in the national support agreements;

41. Welcomes the emphasis the Commission places on support for networks of cultural organisations and for citizens' initiatives in inter-cultural dialogue; notes that the cultural industries make a significant contribution to economic growth and employment in Europe; stresses the need to simplify administrative procedures as regards funding for bodies in the cultural field; notes that the audiovisual industry is still fragmented in national markets and calls for the removal of obstacles to the circulation of European films;

42. Underlines that, in the context of the recommendations to deliver higher growth to fulfil the objectives set by the European Union for the decade ending in 2010, to become the most competitive and dynamic knowledge-based economy with sustainable economic growth and greater social cohesion, the 'cultural added value' should not be forgotten; believes that the concept of 'European added value' must not be limited to advanced cooperation between Member States but should also contain a 'visionary' aspect;

43. Welcomes the Commission's general determination to consolidate and rationalise funding instruments; believes that, in the fields of education, training, youth and cultural policy, such consolidation and rationalisation will create administrative economies of scale, heighten the visibility of the programmes and make them more transparent for citizens;

Cohesion for growth and employment

44. Emphasises the importance of cohesion policy in constructing measures which raise the economic performance of the future Member States and regions as well as existing regions which are disadvantaged because of lack of infrastructure, extreme remoteness, permanent geographical handicaps or industrial decline; reiterates Parliament's demand that cohesion policy be funded by 0,45 % of EU GDP to ensure that its objectives are met in the enlarged Union;

Thursday 22 April 2004

45. Insists that expenditure on cohesion for growth and employment and, in particular, the Regional Development Fund should provide continuity of investment for those regions where the 'statistical effect' is adverse and that there should be adequate funds for a continuation of regional policy for lagging regions in the current 15 Member States; underlines the particular problems which geographically outlying, rural, mountain, island and sparsely populated regions face; calls for other sectoral policies to take into account the needs of these regions using criteria such as accessibility in order to further cohesion;

46. Considers that state aid should be permissible in non Objective 1 regions depending on the level of development and problems faced by the region and asks the Commission to present a new state aid regulation with the new cohesion and regional policy regulations; calls on the Commission, in this context, to clarify as soon as possible the future of the regional aid under Article 87(3)(c), taking care in particular to retain the distinction between the regions eligible under the regional competitiveness and employment objectives;

47. Expects the Commission, in particular, in the light of the experience gained so far in the field of structural actions (RAL, unreliability of Member States' forecasts as regards spending needs) to present further proposals, accompanying the new financial framework, aimed at ensuring better control of the implementation of appropriations involving a greater responsibility of Member States in the context of shared management, e.g. by the increased use of cofinancing and sunset clauses;

48. Notes the importance of trans European transport networks for implementing the Lisbon agenda; considers that high-performing trans European transport networks are an essential catalyst for the sustainable mobility of goods and people and notes that the Commission intends to strengthen cross-border cooperation and the development of European networks; believes that setting up a financial bonus for those priority projects of European interest, or for sections of them, which are completed within the next three years, would represent an important incentive for the development of TEN.

Preservation and management of natural resources

49. Welcomes the greater attention paid to research and development and calls on the Commission, in that connection, also to focus on innovation in the agricultural sector;

50. Regrets the fact that, in the proposed financial framework, the Commission has not — as announced in connection with the reform of the common agricultural policy — made a stronger second pillar an integral part of the future EU budget, but is instead seeking to freeze planned expenditure on rural development at the 2006 level, which, in a future EU of 25 or 27 Member States, would lead to a steady reduction in appropriations for rural development;

51. Calls on the Commission, therefore, to revise the Financial Perspective in such a way that rural regions are not placed at a disadvantage in relation to urban areas, thereby forestalling the further economic decline and depopulation of disadvantaged regions;

52. Believes that the current strict distinction made between categories 1a and 1b, on the basis of the CAP reform decisions concerning modulation, must be replaced to a certain extent by a flexible mechanism for transferring funds to rural development projects, so that adequate allowance can be made for the reorientation of EU agricultural policy launched in 2003;

53. Notes that the Community fisheries sector is undergoing radical change to give it long-term prospects and allow it to remain competitive in a globalised economy; takes the view that adequate funding must be provided in order to finance the various areas of activity making up the Common Fisheries Policy, namely, resource conservation and protection, international agreements, markets, structural measures, social aspects, etc.; believes, therefore, that existing fisheries-related Structural Fund measures, including socio-economic measures, need to be maintained and optimised in order to maintain European fisheries' competitiveness in a global free market;

Thursday 22 April 2004

54. Welcomes the progress made in interinstitutional cooperation on negotiating international fisheries agreements, in particular with the Commission, even though it takes the view that there is still a long way to go before Parliament is genuinely involved in policy development and implementation in this CFP area; it also feels that a clear distinction needs to be made between financial compensation for fishing access and the targeted measures, and that the Commission must be able to verify that the latter have been properly implemented;

55. Is pleased that 'sustainable development' has been proposed as one of the three priorities for the next financial perspectives; deplores, however, the shallow interpretation of the concept of sustainability; notes that the Commission devotes only marginal attention to environmental concerns and fails sufficiently to integrate the environmental aspects of sustainable development in overall policy-making; calls, therefore, on the Commission to strengthen the content of 'sustainable development' in all Community policies;

56. Welcomes the Commission's proposal that, in future, environmental policy should be financed from the same category of the budget as agricultural, structural and fisheries policy; points out that these policies have a huge impact on the environment; stresses the urgent need to press ahead with the greening of Community policies in practice, by carrying out careful and methodologically sound assessments of environmental impacts in all policy areas, particularly in CAP and structural funds;

57. Welcomes the reference to financing of the Natura 2000 network; considers this a crucial element to reaching the 2010 target for halting European biodiversity loss; calls for dedicated funds under regional and rural development policy for Natura 2000;

Citizenship, freedom, security and justice

58. Welcomes the Commission's proposal to make European citizenship, including the completion of an area of freedom, security and justice, one of the top three priorities for the enlarged Union 2007-2013; welcomes and supports strongly the proposal to create a specific heading for 'Citizenship, freedom, security and justice' in the new financial perspective as a logical consequence of the proposed priority for this policy area;

59. Regards the protection of the external borders of the European Union in an integrated way poses a major challenge that requires adequate resources; emphasises, at the same time, the need for increased efforts to establish a common asylum policy with a much stronger burden-sharing element and a correspondingly stronger policy of integration of third country nationals living in the European Union;

60. Is of the opinion that the Union should respond to the increasing concerns of European citizens with regard to internal security matters and assume greater responsibility in the fight against international organised crime and terrorism;

61. Requests that the protection of fundamental rights be reinforced, inter alia, by the creation of a genuine judicial area based on mutual trust;

The EU as a global partner

62. Insists that poverty eradication and the Millennium Development Goals, which are the main goals of community development policy, should remain one of the principal objectives of the category for 'External Actions' and that funds for this purpose should be safeguarded against transfer operations to meet other objectives;

63. Supports the principle of 'simplified architecture' in the area of external relations but insists that this must not lead to a diminished role for the European Parliament, either in co-deciding legislation or in the use of its budgetary or discharge powers;

Thursday 22 April 2004

64. Calls for a clear distinction to be made between those areas of external action which have different characteristics and for which the financial requirements have to be considered separately: pre-accession aid, enhanced neighbourhood cooperation, development cooperation, humanitarian aid, relations with ACP countries, peace and security and reserves;

65. Insists that EDF budgetisation should result in no reduction in the overall level of finance for ACP countries and that these funds focus on poverty eradication, in line with development best practice and be guaranteed for use within the ACP region, by means of sub-headings or ring-fenced sums in the Financial Perspectives;

66. Calls for a restructuring and rationalisation of budgetary instruments in order to boost the responsiveness and flexibility of the Union's external policy, while maintaining the transparency of the mechanisms employed and without in any way jeopardising fulfilment of the commitments already entered into; restates the need to introduce for this purpose a mechanism for prior consultation of, and control a posteriori by, Parliament, particularly where appropriations are reallocated; welcomes the rationalisation of headings proposed by the Commission and proposes a breakdown of appropriations by thematic headings matching priorities and horizontal political objectives of the Union, accompanied by a geographical structure allowing such appropriations to be mobilised flexibly for a given area; questions the appropriateness of the existing allocation of responsibilities between external relations and development and proposes that it be reviewed;

67. Affirms that the neighbouring countries of the enlarged Europe are a priority area for action and attention; asks, to this end, that the provisions of the strategy document on relations with the Arab World be implemented; advocates recourse to all necessary measures to ensure that the New Neighbourhood policy can enable an area of prosperity and stability to stretch further to the south and east of the Union; points to the importance of moving ahead with the Barcelona Process and supporting the political and economic reforms being implemented in Mediterranean partner countries; in particular, asks that the African continent and the countries with the highest rates of poverty and underdevelopment benefit from better interaction between humanitarian policies, development programmes and political cooperation;

68. Points out that, to be credible, any international player needs to be ready both to respond to unexpected short-term situations and to devise medium- and long-term strategies involving lasting commitments; points out that the Union's external policy must be envisaged in a global manner; points out that its main aims are encouraging macroeconomic assistance designed to prevent conflicts of all kinds as well as peacekeeping activities and crisis management measures in civilian, military, technological and environmental fields, particularly through the rapid deployment of an intervention force;

69. Places particular emphasis on the need for adequate funding for the aspects relating to cooperation policy, the fight against poverty, the promotion of democracy and human rights and access for populations to basic goods and services; places particular emphasis on the need to promote, through external policy, access to health care (including reproductive health), education, research and the new technologies and the continuing fight against anti-personnel landmines and their consequences;

70. Reiterates the importance of a parliamentary dimension to the WTO and encourages further initiatives for democratic instruments in the field of trade; believes that the European Union, as a global partner in the present context of globalisation, must reinforce its role as a leading trade power and an active partner in the negotiation of multilateral norms;

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71. Invites the Commission to come forward with the appropriate solutions as regards the presentation of administrative expenditure so as to enable transparency and democratic control over staffing matters; believes this should apply both in the various policy areas and in the heading dedicated to the administrative expenditure of the other institutions;

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

Thursday 22 April 2004

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Third report on economic and social cohesion

European Parliament resolution on the third report on economic and social cohesion (COM(2004) 107 – C5-0092/2004 – 2004/2005(INI))

The European Parliament,

- having regard to the Commission communication (COM(2004) 107 – C5-0092/2004),
 - having regard to Article 299(2) of the EC Treaty,
 - having regard to its resolutions on gender equality in the European Union and, in particular, 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 the Presidency Conclusions of the Copenhagen European Council of December 2002 on enlargement,
 - having regard to the decisions on the reform of the common agricultural policy taken at the Agriculture Council in Luxembourg on 26 June 2003,
 - having regard to the conference on the prospects for rural areas in an enlarged Europe, which took place in Salzburg on 13 and 14 November 2003,
 - having regard to the communication from the Commission to the Council and the European Parliament entitled 'Building our common future – Policy challenges and budgetary means of the enlarged Union 2007-2013' (COM(2004) 101),
 - having regard to Rules 47(2) and 163 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 Budgets, the Committee on Industry, External Trade, Research and Energy, the Committee on Employment and Social Affairs, the Committee on Agriculture and Rural Development and the Committee on Women's Rights and Equal Opportunities (A5-0272/2004),
- A. whereas the need for a comprehensive European cohesion policy is demonstrated by the continued existence of wide disparities in development of the various regions, a situation which will be exacerbated by the forthcoming enlargement of the Union,
- B. whereas the strengthening of economic and social cohesion, the reduction of territorial disparities and the promotion of harmonious, polycentric balanced and sustainable development constitute Treaty obligations that have consistently received the support of the European Parliament,
- C. whereas the draft Treaty establishing a Constitution for Europe reinforces the cohesion objective by the insertion of its territorial dimension,
- D. whereas the structural investment brought about in the areas covered by cohesion policy by intra-European trade, primarily in capital goods, entails economic benefits for the other parts of the Union,
- E. whereas, following the next enlargement, the number of people to which cohesion aid applies will rise from 68 million to 116 million, corresponding to a percentage increase from 18 % to 25 %; and whereas the European Parliament has previously stated that the current threshold of 0,45 % of Community GDP allocated to the cohesion policy is a threshold beneath which it is not possible to fall without jeopardising the achievement of the objectives laid down in the Union's cohesion policy,

⁽¹⁾ OJ C 61 E, 10.3.2004, p. 370.

Thursday 22 April 2004

- F. whereas more consultation with civil society, enabling balanced and equal partnerships, will help to ensure that the needs of people, the environment and the economic interests of the regions are given a voice in the whole process of programming, implementation and monitoring of the Structural and Cohesion Funds,
- G. whereas, overall, the European economic and social cohesion policy has so far produced positive results, enabling countries whose development had been lagging behind to make significant progress, particularly in terms of economic growth, in most cases at a level higher in percentage terms than that of the richest European Union countries,
- H. whereas competition policy and regional development policy must be made consistent, implying that State aid may not constitute an incentive for the relocation of economic activities,
- I. whereas the enlarged European Union will only be able to meet the challenges of the Lisbon, Göteborg and Tampere agendas if it recognises that towns and cities constitute a precious source of a wide range of benefits for the public, which have not yet been fully exploited, and that they are a major driving force behind all economic growth, environmental sustainability, regional cohesion, democratic participation, social inclusion, multiethnic integration and security,
- J. whereas the regions ought to be more closely linked to a more effective and transparent system for monitoring the allocation, distribution and use of the Structural Funds,
- K. whereas despite the wish to promote gender equality, progress in this area is far from satisfactory,
- L. whereas Europe's unique potential for stable growth and sustained development can only be fully exploited through a genuinely common European strategy based on Community funding, which is aimed at areas and sectors with particular difficulties,
- M. whereas the European Social Fund (ESF) has been playing the main role in achieving the equal opportunities objective when compared with the rest of the Structural Funds,
- N. whereas the size and social importance of rural areas in the European Union will increase considerably after enlargement, adding to their importance in terms of social and regional cohesion,
- O. whereas the rural world is facing new challenges and has an important role to play in social and regional cohesion,
- P. whereas maintaining a living countryside and agricultural production, in particular in disadvantaged regions or regions subject to natural constraints, on islands, in outlying regions and mountainous and sparsely populated areas, must in future continue to be a central objective of all European Union policies, particularly cohesion policy,

General comments

1. Shares the Commission's judgment that Community interventions not only provide significant added value in terms of economic and social cohesion but also represent genuine value for money for the Union and the Member States and enhance the sense of belonging to the European Union;
2. Welcomes the account taken of the territorial dimension in the reformed cohesion policy, which is fully in tune with the philosophy behind the draft European Constitution, in which economic, social and territorial cohesion are given the same importance;
3. Recognises that the European Sustainable Development Strategy agreed at the Göteborg European Council of 15 and 16 June 2001 is integral to achieving the strategic goal of the Lisbon Strategy, and therefore this should be more visible for European citizens in the future Structural Funds and Cohesion Fund interventions;

Thursday 22 April 2004

4. Applauds the acknowledgement by the Commission that European regional policy concerns all the regions and Member States of the Union and expresses, therefore, its satisfaction that no renationalisation of cohesion policy has been proposed;
5. Welcomes the Commission's support for the need both to comply with EU environmental legislation in all structural interventions across the EU and to fulfil the objectives of the Environmental Action Programme;
6. Points out, on the basis of the experiences of recent years, that economic and social cohesion policy can make an important contribution to the development of a region if the resources transferred result in high-quality projects capable of having a significant effect on the territory;
7. Welcomes the acknowledgement by the Commission of the need to fulfil the objectives of the Environmental Action Programme and to comply with EU environmental legislation in all structural interventions across the EU;
8. Recognises the limits imposed by financial discipline upon the budget allocation to regional and cohesion policy and considers, therefore, that the sum of 0,41 % of Union GNI (or 0,46 % before transfers to the single rural and fishery instruments) could represent an acceptable compromise;
9. Believes, at the same time, that it needs to be guaranteed that the appropriations transferred for rural development will continue to be put to use in the regions affected;
10. Notes that incorporation of the enlargement countries entails an exponential increase in investment needs and in inequalities within the Union;
11. Urges that the Structural Funds and the Cohesion Fund should retain their structure based on expenditure targets; considers that the N+2 rule for the automatic decommitment of appropriations that have not been implemented should be retained, since it has proved its effectiveness in improving the implementation of funds over the current programming period;
12. Agrees with the overall apportionment of funds to the three objectives;
13. Welcomes the fact that the absorption limit of 4 % of national GDP for allocation of funds to the Member States has been retained, and that amounts covered by rural development and fisheries instruments are also to be taken into account in this connection;
14. Is convinced that cohesion policy is an essential tool to enable the European Union to achieve the Lisbon objectives; therefore endorses the principles of support for innovation and enterprise in order to stimulate regional competitiveness; considers that the implementation of the ten recommendations made by the European Charter for Small Enterprises ought to be one of the cornerstones of this political ambition;

A new architecture for EU cohesion policy after 2006

Objective: Convergence

15. Endorses the preservation of the threshold of 75 % of per capita Community GDP as the main grounds for inclusion in this objective; welcomes the recognition of the so-called statistical effect and the proposed temporary support for those regions which would otherwise lose out as a result of the lowering of Community GDP following enlargement;
16. Insists that the support envisaged for regions subject to the statistical effect be satisfactorily confirmed in the future legislative proposals of the Commission and be endowed with adequate financial provision;
17. Welcomes the integration of the ESF into the new Convergence objective, and hopes that this will lead to more investment in human capital in the least developed areas;

Thursday 22 April 2004

18. Points out that the Protocol on cohesion annexed to the Treaty on European Union stipulates that the Cohesion Fund is to be implemented to aid those Member States whose GNP is below 90 % of the Community average; believes that this will be of particular benefit to the new Member States;

19. Calls for support to be given from the ESF and the European Regional Development Fund (ERDF) to the priority topics, particularly as regards local infrastructure, the development of infrastructure for information and communication technologies, transport and social infrastructure; points out that in these priority areas, the social inclusion of disadvantaged groups should be promoted and barriers to access for people with disabilities should be removed;

20. Urges the Commission to draw up particularly rigorous legislative proposals in order to make sure that the transport infrastructure which is financed under the Cohesion Fund after 2006 contributes fully to the development of the most environmentally-friendly modes of transport (rail, inland and maritime waterways, multimodal transport programmes), in accordance with the White Paper on European transport policy for 2010;

Objective: Regional Competitiveness and Employment

21. Welcomes the introduction of a genuinely new Objective 2 to cover all the regions outside the Convergence Objective; welcomes, at the same time, the Commission's approach towards regional zoning so that interventions can be carried out flexibly within the regional territory, concentrating on areas of greatest need;

22. Believes, moreover, that the twin approach to the anticipation and promotion of economic change, based on regions and on people, can be both coherent and innovative, provided that the use of ERDF and ESF funds can be guaranteed to take place in a coordinated manner; calls, in this connection, on the Commission to ensure that the structure of the Equal Initiative will also be fully incorporated into this priority when combating social exclusion;

23. Believes that the aim of EU interventions should be to increase convergence and reduce regional disparities and social exclusion; asks the Commission to develop criteria for ensuring that EU resources are targeted, with this objective in mind, on areas of greatest need;

24. Considers that a fair compromise has been achieved with the proposal that current Objective 1 regions which, through economic development, do not meet the eligibility requirements for the future Convergence Objective, will nevertheless benefit from a temporary phasing-in support under this objective;

25. Supports the proposed allocation of financial resources on the basis of Community recognised economic, social and territorial criteria; notes in this context that regional wealth must be the decisive criterion for budget allocation;

26. Stresses that firms which have recently received EU subsidies should on no account be accorded new aid purely on the basis of the relocation of their activities;

27. Commends the concentration of Community intervention on a limited number of themes reflecting the strategies for competitiveness and sustainable development laid down by the Lisbon and Göteborg European Councils; believes, however, that it is necessary to gain a deeper insight into the trend regarding and the substance of the future legislative proposals;

28. Draws attention to the vital role of small and micro businesses, including those in traditional sectors, in the economic development of urban and rural areas; stresses that these enterprises provide regional economic stability and are key in combating depopulation;

29. Welcomes the theme of the environment and risk prevention, the consideration of the implementation of European Parliament and Council Directive 2000/60/EC⁽¹⁾ (the Water Framework Directive), the development of environmentally sustainable transport measures and the financial support for Natura 2000;

⁽¹⁾ OJ L 327, 22.12.2000, p. 1.

Thursday 22 April 2004

30. Approves the link between the European Employment Strategy and the interventions under the ESF; expresses, however, its strong concern at the weakness of the regional dimension with regard to interventions under the ESF; requests that the Commission rectify this shortcoming in its impending legislative proposals;

31. Points out that, without calling into question the highly positive results of regional policy, it is now accepted that this policy has not been able to solve the serious problem of employment in the cohesion regions; asks, therefore, for specific proposals and appropriate funding for employment;

32. Maintains that low per capita income is linked to unemployment in the regions covered by the objective and that the Structural Funds need to be implemented with a view to creating jobs, setting up new enterprises, and increasing productivity;

33. Calls on the Commission to manage and monitor the use of the Structural Funds more effectively, partly in order to prevent a negative impact on employment, working conditions and land management in the event of the ineffective use of these funds; therefore asks for a more focused strategy with regard to industrial restructuring and its social impact;

34. Calls on the Commission and the Member States to employ in a targeted way active labour market policy and adult education measures through the targeted use of resources under the Structural Funds and Community initiatives under the heading 'Development of human resources';

35. Underlines that these inequalities can be combated by greater participation by women in all levels of education and training, lifelong access to learning, and training in new technologies; resources disbursed for training policies, including those linked to economic changes in geographical areas or resolution of urban issues, or developments in the countryside, must benefit women in a significant manner;

36. Is concerned that ESF funding under the Competitiveness objective is limited to specific measures in relation to employment strategy and appears not to take into account substantially the wider approach on social inclusion;

37. Notes that the effects of economic and social restructuring in the new Member States are often detrimental to women (rising unemployment, reduced childcare infrastructure) and calls on the states concerned to channel the structural funds into improving the situation of women as of 2004-2006 and beyond; considers that a greater drive towards achieving equal opportunities should be introduced into policies such as infrastructure, transport, the environment, regional development, fisheries etc., and calls on the Commission to draw up specific guidelines on equal opportunities as soon as possible for all those areas of policy;

38. Notes that there has as yet been no summary report on incorporating gender equality into measures co-financed by the Structural Funds and calls, therefore, on the Commission to examine, in the context of the mid-term review of the Structural Funds, whether the provisions of the regulation on promoting equality are complied with and, on the basis of that review, to plan the rest of the programming period;

39. Recalls once more the importance of developing statistics broken down by gender in order to enhance the effectiveness of programming by allowing measures to be based on relevant qualitative and quantitative indicators, so as to enable actions to be properly evaluated and to facilitate sharing of experience and information on successful measures relating to improving the situation of women;

Objective: European Territorial Cooperation

40. Congratulates the Commission on the proposal to create a separate objective for territorial cooperation, building upon the success of the Interreg Initiative;

41. Proposes that this new organisational structure should be based on the signature of a tripartite contract between the European Union, the Member State and the regions;

Thursday 22 April 2004

42. Underlines the importance of continuing the three strands of transnational, cross-border and inter-regional cooperation with the clear objective of promoting the harmonious, balanced and environmentally sustainable development of the territory of the Union: merely shifting interregional cooperation into mainstream programmes is not adequate to achieve that end;

43. Stresses that, in future, greater aid and encouragement should be given to cooperation between regions in old and new Member States;

44. Agrees strongly with the link to be established between the integrated programmes and the Lisbon and Göteborg agendas;

45. Welcomes the recognition of maritime frontiers, often called for by the European Parliament and others, in the context of cross-border cooperation; asks for this recognition to apply to all European Union maritime frontiers; welcomes the proposal for a dialogue between the Commission, Member States and Regions for a review of the trans-national cooperation zones under Interreg IIIB; calls for a clear, comprehensible definition for their enforcement;

46. Approves of the creation of a single legal instrument to allow Member States, regions and local authorities to manage cross-border programmes more effectively; calls for the instrument to be administered, insofar as their powers permit, by the relevant authorities below state level;

47. Values the coherence between the New Neighbourhood instrument and the Cooperation Objective and hopes that this can be tested as early as during the 2004-2006 period;

An integrated response to specific territorial characteristics

48. Stresses the importance of an integrated response that encourages a harmonious rather than a conflictual relationship between urban and rural strategies;

49. Calls on the Commission to take into consideration the infrastructure distribution patterns in the enlarged Union and to create opportunities for effectively exploiting the urban dimension as a mainstream component of the Structural Funds;

50. Underlines the necessity for a strong urban dimension, present in all three proposed objectives, aimed especially at promoting urban regeneration and combating urban deprivation, developing the role of the urban areas as economic drivers for the region, and the urban-rural relationship;

51. Also asks the Commission to prepare a framework of rules which enhances the potential for grassroots initiatives to flourish in cities and other territorial units;

52. Stresses without, however, disassociating urban problems from their regional and national context, that towns, particularly small and medium-sized towns, ought to be regarded as vital elements in economic and social cohesion;

53. Reconfirms its commitment to the necessity of taking into account the specific problems of the outermost regions as required under Article 299(2) of the Treaty; congratulates the Commission on its initiative in this regard;

54. Reaffirms the importance of continued support for traditional industrial areas as they pursue efforts to regenerate their economies and their communities;

55. Calls for the specific programme to offset the structural handicaps affecting the outermost regions to be consolidated in future legislative proposals from the Commission and provided with the financial allocation required to ensure that these regions, including those which have ceased to be covered by the Convergence Objective, can continue to meet the investment needs entailed in their outermost location, especially where infrastructure is concerned;

Thursday 22 April 2004

56. Welcomes and supports the direction of the Commission's thinking in relation to those areas suffering from a permanent handicap such as islands, mountainous regions and those with a low population density; believes, moreover, that this approach is in accordance with the consistent and often repeated demands made by the European Parliament in the past; considers, nevertheless, that the needs of these regions must also be covered by other EU sectoral policies;

57. Believes that the Commission is correct in its positive approach to those areas suffering from structural handicaps such as depopulation, population ageing or difficult accessibility; considers that the needs of the regions affected by these structural handicaps should be dealt with through ad hoc regional cooperation or action initiatives;

58. Considers also that islands such as Malta and Cyprus should be treated in a similar way to other eligible islands in the region that are at a similar level of development, so as to ensure a level playing field;

59. Draws attention in particular, as regards regions and areas suffering from permanent handicaps, to specific accessibility and communications policies, relating for example to postal services, education and health, and to water, a resource essential for life;

60. Commends the initiative for an increase in ERDF co-financing rates to take into account certain territorial characteristics and proposes that this also apply to a regionalised ESF;

Instruments for rural areas and the fisheries sector

61. Considers that efforts to enhance the quality of life in rural areas and promote diversification of economic activities must include measures specifically targeted at alleviating the adverse social and economic effects of downsizing in the agricultural sector and at fostering quality-oriented and environmentally sustainable production;

62. Considers it necessary to retain specific innovative measures in rural areas too; calls therefore for the launch of Leader+ programmes to be continued; urges the Commission to preserve in particular the multi-stakeholder and participative approach;

63. Calls on the Commission to retain in the agricultural development programme the bottom-up method typical of the Leader Programme in which local action groups are able to determine among themselves the substance of their activities;

64. Notes the placing of the whole of rural development within the second pillar of the common agricultural policy and welcomes the Commission's intention to create a unified fund for rural development measures, with a view to promoting sustainable development;

65. Reiterates its insistence on the distinct nature of the problems affecting the fisheries sector as opposed to those more generally associated with rural development; believes, moreover, that it is necessary to distinguish more clearly between sectoral and territorial interventions; agrees strongly, therefore, with the Commission's proposal to clarify the role of the various instruments of support;

66. Maintains that it is vitally important to fishing countries for the fisheries sector to be developed in such a way as to ensure that support instruments, which must be implemented in a manner consistent with the stock conservation policy, serve to promote the sustainable development of activities and the living and working conditions of fishermen;

67. Welcomes the intention of the Commission to establish a single fund for rural development policy and to promote sustainable development; urges that, in future, rural development programmes should remain essentially horizontal and thus cover all rural areas;

68. Calls for rural development measures to continue to be seen as an adjunct to the common agricultural policy and for corresponding funds to focus directly on active agricultural production and related and downstream areas;

Thursday 22 April 2004

69. Emphasises the importance of a strong rural development policy also in the new Member States, by stimulating the competitiveness of the farming sector and promoting action to support women, together with investment in a broader rural economy;

70. Believes that, while simpler and more decentralised management is necessary, it is appropriate to maintain a variety of programmes tailored to specific actions in order to spend public funds effectively; requests, therefore, that the Leader+ approach be continued;

71. Points out that Priority 3 often covers predominantly agricultural regions in which a multifunctional farming industry is essential for a living countryside, a factor which should be reflected in the way the measures are implemented;

72. Calls on the Commission to pay particular attention to young farmers in connection with rural development measures, since young farmers make a significant contribution to the continued existence of farming and the development of rural areas;

73. Notes with regret that the Commission has not confirmed an increase in the second pillar in the future EU budget as part of the proposed financial framework — as announced in the reform of the common agricultural policy — but that instead it intends to freeze planned rural development spending at the 2006 level, which would lead to a constant fall in rural development appropriations given that in the future there will be 25 or 27 Member States;

Coordination with other policies

74. Views favourably the determination to achieve improved coordination with other sectoral policies; recognises, in this context, that coherence and complementarity will be enhanced by the concentration of regional policy on limited themes and by the existence of a comprehensive cohesion strategy;

75. Declares its satisfaction at the maintenance of state aids under Article 87(3)(a) of the Treaty in order to promote economic development in Convergence regions; demands forcefully that equal treatment be accorded to Convergence regions, subject to the statistical effect; notes that these aids should make a decisive contribution to the creation of sustainable jobs, and not merely to the relocation of jobs;

76. Believes that the new State aid guidelines for the post-2006 period should permit Article 87(3)(a) status to be accorded to all regions eligible for convergence programmes, including those affected by the statistical effect of enlargement;

77. Urges the Commission to come forward with proposals for the future of State aids based on Article 87(3)(c) of the Treaty and to reflect on how territorial differentiation might be incorporated into the rules through the use of appropriate indicators; considers it absolutely essential to maintain territorial differentiation in competition state aid policy in order to pursue a territorial cohesion objective;

78. Calls on the Commission to ensure that the relocation of businesses is not subsidised by European regional policy;

79. Considers that the economic and social situation of the outermost regions justifies the adoption of a different approach to levels of intensity of the state aid referred to in Article 87(3);

80. Believes that a new approach to economic and social development — geared to the notion of a knowledge-based economy — requires:

- (a) policies based on the regional comparative advantage, ensuring a business environment conducive to adaptability, innovation and reform that promotes fair competition, enhances infrastructure and ensures better company law and corporate governance;
- (b) policies that encourage innovation and entrepreneurship, based on fiscal legislation that favour the establishment and sustenance of SMEs by addressing the structural deficiencies arising from poor market accessibility and the burden of financing;

Thursday 22 April 2004

81. Proposes also, as part of the new approach to regional development, to link research financed by the EU under its seventh research framework programme to industrial application;

82. Stresses the fact that, in a new knowledge-based economy of the type envisaged by the Lisbon European Council, human capital (a labour force with appropriate levels of skills and training) is a prerequisite and all regions should develop the capacity to innovate, use both existing know-how and new technologies effectively and apply techniques and methods of production that would be sustainable in environmental terms;

83. Attaches importance to the liberalisation of the energy market within the Trans-European Energy Networks under the condition that these networks are completed and that the periphery is linked to such networks;

84. Calls for a focus on job creation in remote regions; believes that the promotion of networks and clusters of particular activities such as inventions and applications to cultural industry based on regional diversities and customs, and developing the potential of the tourist industry based on the principle of regional specialisation may solve this problem;

85. Proposes that the increasing economic importance of new areas of industry, such as eco-industries or the cultural industries, be considered as a viable means of creating employment, especially in remote regions; asks the Commission to draw up measures for promoting this kind of employment in those regions;

A reformed delivery system

86. Considers that the simplification of cohesion policy must have a high priority and therefore congratulates the Commission on its generally positive attitude towards a simplification of cohesion policy and on the advances it has proposed, particularly with regard to programming, partnership, co-financing, evaluation, and decentralisation of responsibilities to partnerships on the ground; considers that the Commission should maintain an independent monitoring and control power on the implementation of structural interventions and on their compliance with EU laws and targets; reserves the right, however, to express its definitive opinion only once it has seen the proposals for regulations on the Structural Funds and the Cohesion Fund;

87. Concurs with the adoption of an overall European strategic document for cohesion policy and the preparation of strategic policy documents by the Member States; requests that the work of the European Spatial Development Perspective adopted in Potsdam in 1999 be continued in order to build a framework for the territorial development of the European territory;

88. Urges the Commission, in simplifying regional policy, to take account of the 'user viewpoint', i.e. to make it easier for businesses, universities and national organisations to participate in projects without their activities being unnecessarily hampered by bureaucracy, payment reporting requirements etc.;

89. Asserts that the European strategic document for cohesion must be the subject of a European law embodying the full legislative participation of the European Parliament as envisaged under Article III-119 of the draft Treaty establishing a Constitution for Europe;

90. Believes that such a strategic approach would enhance coherence and accountability for the policy as a whole; responds favourably, therefore, to the proposal for an annual review by the European institutions to discuss progress made; suggests that this review could take place during the spring European Council, following consultation of Parliament;

91. Welcomes the limiting of the number of funds to three and the introduction of the principle of one fund per programme; demands that this principle be fully respected and stresses that it is the sound management of the Structural Funds which must be the overriding concern rather than the internal administrative structure of the Commission;

Thursday 22 April 2004

92. Underlines, in the light of the slow take-up of ESF funding in the current programming period, and the proposed decentralisation, the need to strengthen administrative capacity, with special focus on the new Member States;

93. Approves of the integration of the valuable experience and best practice of Community initiatives such as Equal into mainstream programming in particular, the principle of transnational cooperation should be emphasised;

94. Declares itself in favour of the proposals to enhance partnership and cooperation between the local, regional, national and EU spheres of government and to encourage Member States to utilise the possibility of concluding tripartite agreements where appropriate; asks the Commission to develop harmonised and binding rules and criteria for partnership association and development in the framework of the 2007-2013 Structural Funds regulations, at the same time ensuring efficient partnership through funding the costs of their participation;

95. Points to the need for special attention to ensure that the state and regional authorities concerned comply with the additionality principle, whereby Community resources are to be added to and not replace state resources, and for the Commission to be provided with the necessary means of supervision;

96. Supports the idea of the creation of a Community reserve for rewarding progress; welcomes, moreover, the setting-up of national reserves for responding to unexpected sectoral or local shocks on condition that these funds have real substance and are not simply symbolic gestures;

97. Asks the Commission to draw up for the next programming period procedures for verifying additionality that are more workable, that are integrated into the programming, monitoring and evaluation frameworks and that are suitable for use with the budgetary and statistical information available; furthermore, asks the Commission to develop specific measures such as sanctions in order to ensure compliance with this principle;

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

P5_TA(2004)0369

Commission's annual policy strategy for 2005

European Parliament resolution on the 2005 budget: the Commission's Annual Policy Strategy report (2004/2001(BUD))

The European Parliament,

- having regard to the communication from the Commission to the European Parliament and the Council — Annual Policy Strategy for 2005 (COM(2004) 133),
- 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⁾,
- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
- having regard to the report of the Committee on Budgets and the opinions of the other committees concerned (A5-0269/2004),

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

Thursday 22 April 2004

- A. whereas 2005 will be the first full year of a European Union of 25 countries,
- B. whereas the political and budgetary priorities of the European Union for 2005 must respond to the new challenges of an extended Union, and meet the needs and concerns of the citizens of Europe, whilst at the same time respecting budgetary rigour and aiming to achieve the best value for money,
- C. whereas the benefits of the new activity-based budgeting approach should be further consolidated and improved, including increased transparency and parliamentary control over the Union's expenditures,
- D. whereas the entry into force of the new Financial Regulation has progressed relatively smoothly, but has led to decision-making and implementation problems due to the rigidity of certain rules and an approach of the administration which consists of not taking a decision,
- E. whereas the technical adjustment of the Financial Perspective (COM(2003) 785) will restrict the margin of manoeuvre under some budgetary headings and fix the expenditure ceilings for these at a level considerably lower than foreseen in the Commission's financial programming for 2005,
- F. whereas the Commission's Annual Strategy Communication is the first step in the process of formulating the political and budgetary priorities for 2005,

General aspects

1. Welcomes the Annual Policy Strategy (APS) as an instrument aiming to combine the budgetary and legislative cycles; underlines that it has decided to modify the traditional procedure for establishing its budgetary priorities for 2005 (previous 'guidelines') in order to further reinforce the political visibility of these priorities and, especially, to ensure better coherence between the work of the institutions by linking this resolution more clearly to the Commission's APS procedure;
2. Deplores the fact that the Commission postponed the presentation of the APS until the end of February; expects the Commission in future to abide by the agreed timetable in order to allow the budgetary authority to deal properly with this important document for the budgetary and legislative procedure;
3. Fully supports the budgetary provisions in the draft Constitution; deplores the suggestions brought to the Intergovernmental Conference by Ecofin that severely undermine the present Parliament's powers; considers that a fair and efficient compromise could only be based on the current interinstitutional balance as codified in the draft Constitution by the European Convention;
4. Points out that, in the compact based on trust, the Commission undertook to take all necessary measures to ensure efficient implementation of decisions adopted by the budgetary authority; calls on the Commission to explain, before 31 July 2004, how the many key initiatives are compatible with the subsidiarity principle and with the objective of simplifying the *acquis* and scaling it down from 80 000 to 25 000 pages; points to the significance of demographic change in the Union for welfare systems and the economy; insists that the Commission make the process of bringing European policies into line with changed circumstances a task to be carried out across the board;
5. Strongly supports the Commission's efforts to improve the activity statements accompanying the preliminary draft budget (PDB) and recalls that these should summarise in a clear and concise manner the actions and instruments for each area of the budget; asks the Commission to ensure that they include objectives and performance indicators that respect the Smart Criteria (specific, measurable, achievable, relevant and timed), and insists that these should also be included for follow-up in the annual activity reports; calls on the Commission to include in all activity statements a summary of the Court of Auditors' findings and of the discharge authority's conclusions;
6. Takes note of the opinions of the committees concerned and will take these into account in the course of the whole budget procedure for 2005 and, in particular, in Parliament's first reading;

Thursday 22 April 2004

Financial framework

7. Stresses that the technical adjustment carried out each year by the Commission on the basis of the most recent economic forecasts, in accordance with Point 15 of the Interinstitutional Agreement of 6 May 1999, results in a substantial reduction of the ceilings, in particular for headings 3, 4 and 5;

8. Recalls, however, that following the adjustment and the revision of the financial perspective to finance the needs of enlargement, an amount of EUR 190 million has been added to the ceiling of heading 3 of the financial perspective for 2005; reminds the Commission that part of this additional amount is intended to finance not only the programmes under codecision which have been set up in the context of the 2004 budgetary procedure but also the European Parliament's priorities such as pilot projects, preparatory actions and other annual activities;

9. Recalls that the ceiling in heading 5 (administrative expenditure) has been fixed at EUR 6 185 million for the 2005 budget; stresses that, as a result of this technical adjustment of the ceiling, there will be a negative margin instead of the positive margin of EUR 28,5 million as was foreseen in the third report by the Secretaries-General in July 2003; is willing to provide sufficient means to allow a proper functioning of the institutions of the enlarged Union but considers it necessary to examine further possibilities for reprogramming, frontloading and savings;

10. Recalls the efforts made by Parliament during the previous years of this financial perspective to further improve the budgetary allocation between permanent tasks and new priorities; reminds the Council that new needs, including Iraq, can only be funded with new resources, otherwise core activities of the Union will be affected;

11. Is aware that, as a result of the additional budgetary constraints caused by the adjustment of the ceilings in headings 3, 4 and 5 of the financial perspective, the budgetary authority may have to review the priorities set out in the Commission's annual policy strategy; expects the Commission to re-allocate budgetary and human resources in accordance with the decisions of the budgetary authority;

12. Is concerned by the increasing number of cases where decisions are not taken by the Commission due to rigid rules in the new Financial Regulation; expects the Commission to observe the application of the Financial Regulation carefully and to submit an evaluation report to the budgetary authority by 31 July 2004;

13. Recalls the Joint Declaration on Financial Programming of 20 July 2000⁽¹⁾; reiterates its strong interest in improving the matching of legislative and budgetary procedures; invites the Commission to provide, for each proposal, improved information concerning the overall situation of the financial impact in order to allow the legislative and budgetary authorities better to assess the utility of each proposal, and its financial compatibility with the financial perspective;

14. Notices that in the presentation of the three priorities included in the APS for 2005 — competitiveness and cohesion, security and European citizenship, and external responsibility: neighbourhood and partnership — the Commission is setting similar priorities to those laid down in its communication on the financial framework beyond 2006;

Budgetary Headings*Agriculture*

15. Regrets that the largest category of the Union's expenditure has received little mention in the APS document; is aware of the need to strengthen financially rural areas, the second pillar of the common agricultural policy and the following areas in an enlarged Europe: subsidies to young farmers; the fight against animal diseases, boosting agricultural promotional measures for advertising and marketing within the EU and in third countries, and the EU school milk programme; asks the Commission to maintain the pilot project on establishing European quality labels; will assess whether the initiatives and projects undertaken in the 2004 budget could be continued;

⁽¹⁾ Council Document No 10299/00, p. 8.

Thursday 22 April 2004

Structural operations

16. Recalls the importance of structural operations as a part of achieving an effective cohesion policy and promoting sustainable growth; notes the improved implementation of structural fund payment appropriations in 2003; points to the persistently large volume of outstanding commitments – EUR 60 billion – within the Structural Funds and the Cohesion Fund; asks the Commission to inform the budgetary authority of the Member States' forecasts to enable it to assess the appropriate level of payments for 2005;

Internal policies

17. Is worried by the recent assessment by the Commission, in the progress report on implementing the Lisbon Strategy, to the effect that the strategy's mid-term objectives are unlikely to be realised; highlights the need to concentrate its efforts and, within the 2005 budget, prioritise the key Lisbon Strategy measures with budget relevance in order to speed up the achievement of the objectives set, strengthening, in particular, social partner interchange and improving the position of workers within the European economy and the liberalisation process; reiterates its support for Community measures targeted at SMEs especially in view of promoting competitiveness in a fully integrated single market and in the pursuit of the Lisbon Strategy; urges that finance and guarantee instruments for SMEs be further developed and strengthened;

18. Repeats its request to the Commission to present, for macro-financial assistance, a legislative proposal based on the codecision procedure and containing legal provisions that would enhance transparency and accountability;

19. Requests the Commission to forward to Parliament by 30 August 2004 at the latest its study on the implementation of Basel II, including an extended impact assessment, as this implementation will profoundly influence the aforementioned instruments for SME capital;

20. Recalls the importance attached by Parliament in previous years to communication and information measures for European citizens and is deeply concerned at the way in which information policy in general is being implemented, given the lack of genuine progress in the area; stresses that the Financial Regulation cannot be invoked to defer implementation of this policy, since the decision on the new Financial Regulation has been known since June 2002; states that application of the new provisions proposed by the Commission ought therefore to have been brought forward by the departments concerned;

21. Considers that with the accession of ten new Member States, special attention must be paid to strengthening European citizenship and to consolidating a European area of security, freedom and justice; states in particular the need to reinforce the common immigration/migration policy, and to accelerate the setting-up of SIS (Schengen Information System) II and the Visa Information System; expects the Commission to submit to Parliament a proposal for a Council decision establishing the Visa information System by 31 July 2004 at the latest; calls on the Commission to clarify its political approach on the preparatory action on the financial support for the return of illegal immigrants, the European Refugee Fund and the likely overlaps with the European Social Fund and the Community initiative Equal; will also, in the light of the budgetary constraints under heading 3 for the years 2005 and 2006, refrain from any budgetary decision until these questions are resolved;

22. Stresses its will to increase, sparing no efforts, the fight against terrorism in an enlarged EU and wishes to maintain and reinforce the existing pilot project on aid to victims of terrorist acts; welcomes the most recent Commission initiatives in this field, as well as the proposal for a directive on compensation for crime victims; points to the special importance of cooperation between judicial and police investigation authorities, in particular with the assistance of Europol and Eurojust; emphasises that, irrespective of the legal bases involved, Parliament expects to be fully involved in the decisions relating to the design and content of such proposal;

23. Asks the Commission to provide for the continued support of the non-governmental organisations in the social service sector as well as of the social partners and ending their legal insecurity by proposing a new legal base or their inclusion in the existing legal bases for the Community action programs (subsidies);

Thursday 22 April 2004

24. Emphasises the need, following the accession of ten new Member States, to ensure the continuity of the LIFE III programme and to bridge the gap between the expiry of LIFE and the new financial perspectives; underlines, in this regard, that a high priority must also be given to the Commission initiatives concerning Natura 2000;

25. Is taken aback by the fact that, after consulting the Council only, the Commission has withdrawn its proposal to increase TEN funding for border regions by a total of EUR 100 million (EUR 55 million for 2005 and EUR 45 million for 2006); expects the Commission to take up its proposal again and forward it through the proper channels to the legislative authority; is surprised that the Commission wants to carry out groundwork for setting up a new chemicals agency although the legislative process has not yet been concluded;

External actions

26. Believes that, in the context of conflict prevention and the development of genuine partnerships, inter-cultural, inter-ethnic and inter-religious dialogue should be intensified;

27. Underlines its position that the European Union must make special efforts to export peace to the world; therefore underscores the importance of eliminating poverty as an EU external support objective of paramount importance and the importance of continued priority actions in individual areas such as the promotion and defence of human rights, health and education, measures concerning landmines, and conflict prevention and resolution;

28. Is especially concerned at the current situation in Iraq and considers that measures to improve the prospects for a free and democratic Iraq which are carried out as a part of a UN mandate, must be supported; is aware of serious budgetary constraints and, therefore, intends to assess carefully the possibility of recourse to the Interinstitutional Agreement instruments; also points out that security concerns and forthcoming elections are crucial issues in Afghanistan and remains committed to supporting reconstruction and development in this country;

29. Agrees with the Council's criticism of the Commission's approach to shaping a New Neighbourhood Policy and of the unclear way in which it is incorporated into the EU's foreign policy strategy alongside the Euro-Med process and a new initiative for the Middle East; reminds the Commission, and also the Council, that Parliament has a legislative and budgetary role to play in this process; expects the committees responsible to be intensively involved in ongoing consultations; is prepared to use its budgetary powers to defend its interests;

30. Expresses its fundamental support for establishing a New Neighbourhood Policy which helps to provide a sphere of prosperity and stability to the south and east of the current EU borders; emphasises that in the context of the partnership between the EU and the Mediterranean it is necessary to strengthen all measures contributing to the full development of the Barcelona process; underlines that these objectives must be equally pursued in relation to the eastern neighbours of the EU, with a view to establishing the Northern Dimension;

31. Stresses that the external priorities of the Union are not solely dependent on geographical proximity, and that the strategic efforts for cooperation and solidarity with other regions of the world must be maintained and strengthened; in this context, emphasises that the bilateral and multilateral relations between the EU and Latin America must be reinforced, especially in the light of the third EU-Latin America Summit; points to the special importance of the EU for the ACP States, particularly now that the pan-African Parliament and African peacekeeping forces are being established; points to the considerable importance of successful European stabilisation efforts in Asia;

32. In view of increased transparency in the financing of international organisations by the EU budget, requests that the Commission create a special chapter, under external policies, on the different EU budget contributions to the UN, its agencies, funds and programmes, without prejudice to its periodical contribution to UN humanitarian funds via the EU budget humanitarian lines, during the budgetary implementation;

Thursday 22 April 2004

33. Points out, in a context in which the significance of the EU as a global partner must be strengthened, that steps in the direction of establishing a common European diplomacy and towards the creation of a European external action service would directly contribute to the achievement of this goal;

34. Intends to analyse future needs and current implementation of the common foreign and security policy, taking into account the major financial increase granted under this section for 2004; will assess the outcome of the new joint meetings established between the Parliament and Council following the budget conciliation meeting of November 2003 and draw the budgetary consequences;

35. Regrets once again that the Commission has not put forward the parliamentary dimension of the World Trade Organization (WTO) as one of its priorities in relation to external responsibility and recalls that the Parliamentary Assembly of the WTO must be developed and made permanent; urges the Commission to submit a concrete proposal to Parliament by 31 July 2004 at the latest;

Personnel and administration

36. Notes that the Commission plans to request 700 new enlargement-related posts for 2005; encourages the efforts by the Commission to use redeployment within and between departments to mobilise additional resources; notes that, as a result of redeployment, an additional 570 posts are estimated to become available in 2005 to implement priority initiatives;

37. Will evaluate the Commission's request on the basis of different criteria such as availability of candidates for recruitment, absorption capacity of the institutions, the geographical balance of posts, the quantitative and qualitative implementation of the European Parliament's political priorities, the process of outsourcing and, also, within the general context of heading 5;

38. Asks the Commission to provide, with the PDB, a mid-term programming of decentralised agencies, executive agencies, regulatory agencies, external offices with the related impact on the headings of the financial perspective concerned, in particular headings 3 and 5 with the consequences and the use of freed resources for the Commission; recalls the Commission's undertaking to ensure that policy on agencies complies with a rigorous budgetary approach and remains subject to democratic supervision by the political and budgetary authorities;

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39. Instructs its President to forward this resolution to the Council, the Commission and the Court of Auditors.

P5_TA(2004)0370

Parliament's preliminary estimates for 2005

European Parliament resolution on the estimates of revenue and expenditure of Parliament for the financial year 2005 (2004/2007(BUD))

The European Parliament,

- having regard to Article 272 of the EC 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⁾,
- 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⁽²⁾,

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

Thursday 22 April 2004

- having regard to its resolution of 26 February 2004 on the guidelines for Sections II, IV, V, VI, VII, VIII(A) and VIII(B) and on the European Parliament's preliminary draft estimates (Section I) for the 2005 budget procedure⁽¹⁾,
 - having regard to the report of the Secretary General to the Bureau concerning the preliminary draft estimates of Parliament for the financial year 2005,
 - having regard to the preliminary draft estimates established by the Bureau on 29 March 2004, pursuant to Rules 22(6) and 183 of the Rules of Procedure,
 - having regard to Rule 183 of the Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A5-0236/2004),
- A. whereas the ceiling in heading 5 (Administrative expenditure) has, as a result of the technical adjustment, been fixed at EUR 6 185 million for the 2005 budget⁽²⁾; whereas this technical adjustment represents a EUR 94 million reduction in the ceiling of the financial perspectives of heading 5 for 2005 at 2005 prices,
- B. whereas a simple extrapolation of the technical adjustment, the evolution of staff salaries and the updated estimates of the effects of the reform of the institutions combined with the financial programming as established by the third report of the Secretaries General in July 2003 would have resulted in a negative margin of some EUR 145 million for 2005,
- C. whereas the recent update to the third report by the Secretaries General on the development in heading 5 foresees a negative margin of EUR 45 million in the revised administrative expenditure plans for 2005 instead of a positive margin of EUR 28,5 million as was estimated in July 2003,
- D. whereas 2005 is the first full year of the enlarged Union and of the 6th legislature of the European Parliament,
- E. whereas the 2005 estimates are based on the following key parameters: full 12 months of enlargement-related expenditure with 9 new languages; 44 working weeks, of which 3 constituency weeks, 12 ordinary part-sessions and 6 additional part-sessions; a 2,7 % salary adjustment, and a 7 % standard abatement for posts; whereas the parameters will be re-examined during the first reading of the 2005 budget in the autumn,

Political priorities

1. Stresses the importance of satisfying the needs relating to enlargement despite the financial constraints in heading 5 in 2005 and to continue to improve services rendered to Members through the implementation of the 'Raising the Game' initiative;
2. Reiterates the importance of continuing to apply sound financial management and budgetary rigour and provide value for money for the European taxpayer; underlines that the estimates for the 2005 budget, taking into account the budgetary constraints and uncertainties, have to be based on sound assumptions and real needs;
3. Underlines the need to continue the reform of its Administration by rationalising and modernising working methods, making better use of new technologies and concentrating on core activities;

General framework

4. Is aware that several assumptions have been made by its Administration on account of the uncertainties relating to the preliminary draft estimates for 2005; points out that the parameters and the underlying assumptions have to be re-examined during the first reading of the 2005 budget in light of the political priorities;

⁽¹⁾ P5_TA(2004)0118.

⁽²⁾ Calculated net of staff contributions to the pensions scheme (EUR 175 million at 2005 prices).

Thursday 22 April 2004

5. Notes that the preliminary draft estimates have been set at 20 % of heading 5, representing an increase of 3,3 % over 2004 budget; reserves its final decision on the global level of Section I until the first reading in the autumn;
6. Points out that out of the amount of EUR 1 272 million corresponding to 20 % of heading 5, an amount of EUR 1 007,6 million is foreseen for standard operational expenditure and EUR 173,4 million for enlargement-related needs;
7. Recalls that the capital injections and accelerated repayment of buildings have produced major savings in the recent years; is of the opinion that a part of the appropriations available in the budget could be used for an advance payment for the D4 and D5 buildings; considers, however, that the final advance payment amount can only be decided in the autumn in the context of the overall situation of Section I and of heading 5;

Expenditure related to Members and political groups

8. Notes that no appropriations, on the line or in the reserve, are foreseen for a Member's Statute, but that chapter 102 (Reserve for the Member's Statute) is maintained with a token entry (p.m.);
9. Reiterates its support for the adoption of a Statute for Members' assistants; considers that the provisions provided by the new staff regulations regarding the option to define assistants as contract agents should be examined;
10. Is of the opinion that the level of the Secretariat allowance (Article 391) should be assessed;

Multilingualism and assistance to members

11. Calls on its Administration to analyse the budgetary implications of the new code of conduct for controlled multilingualism and invites the Secretary-General to submit a report on this subject by 1 September 2004;
12. Welcomes the savings to be created by new contract terms of freelance translations of verbatim report of proceedings of plenary sittings; considers, however, that alternative means should be examined instead of continuing to translate all verbatim reports of proceedings (CRE) into all languages, e.g. the possibility of translation by request; invites the Bureau, as a follow-up to the 2004 budget procedure, to submit a report on the measures undertaken concerning the translation of the verbatim report by 1 September 2004;
13. Invites its Secretary-General to submit an updated report by 1 July 2004 on the workload of the in-house interpreters, on the use of freelance interpreters and on the interinstitutional cooperation in this field to ensure the optimal use of resources;
14. Considers, in view of the final report by pilot committees, that there should be clear and objective criteria on the possible future allocation of expertise budgets for parliamentary committees; has serious doubts regarding the generalisation of the allocation with a standard amount to all committees;

Enlargement — related staff requests

15. Points out that the main part of the additional needs in view of enlargement has been covered in the 2002-2004 budgets; reiterates its view that the remaining enlargement-related staff requests also have to be based on real needs and realistic recruitment estimations; recalls that, in the light of recent experience, several factors and uncertainties affect the recruitment forecasts, such as the delays in recruitment procedures and problems in finding certain categories of staff;
16. Notes that the creation of 140 new enlargement-related posts in the general secretariat has been proposed by the Bureau, with the inclusion of the corresponding budgetary appropriations in the first reading in order to take into account the information forthcoming on recruitment possibilities; reserves its final decision until the first reading of the 2005 budget;

Thursday 22 April 2004

17. Notes the proposal to create 8 new non-enlargement related and 38 new enlargement-related temporary posts in the political groups; approves these posts and the corresponding budgetary appropriations;

18. Recalls that, in case of an agreement being reached on the reunification of Cyprus, the need for new posts must be evaluated;

Staff policy and other (non-enlargement) staff requests

19. Considers that the new staff promotion and career planning policy should be set up in a way which allows for the provision of budgetary programming while respecting the legitimate and equal rights of its staff; is of the opinion that the Administration should create a promotion policy under the new staff regulations; invites the Secretary-General to submit a report before 1 September 2004 on the mid-term financial impact of the income structure under the new staff regulations;

20. Reiterates Parliament's priorities to ensure that the principles of equal opportunities (in particular race, gender and disabilities) are implemented in the context of all promotion and recruitment procedures;

21. Notes that possible proposals on upgradings will be put forward in the first reading to take into account the new staff regulations;

22. Calls on its Administration to continue to use all possibilities available for redeployment;

23. Notes that 24 new permanent posts and prolongation of 10 temporary posts, as well as the creation of a director's post (A*14/15) within DG Personnel, are requested by the Bureau for non-enlargement related needs in the General Secretariat; approves these posts, but enters in the reserve 7 AST posts foreseen for the operation of a round-the-clock 'Crisis Centre' and for the supervision of outside staff, pending the update on recruitment to the currently unfilled posts in the Security Division;

Interinstitutional cooperation

24. Reiterates its support for further interinstitutional cooperation in order to improve the use of resources and create contractual savings; invites the Secretary General to submit a report on the inter-institutional cooperation by 1 September 2004;

Information policy

25. Reiterates its support for the 'Europarl' Internet site; considers that the Legislative Observatory should be provided with sufficient means to continue its work;

Informatics

26. Invites the Administration to improve the DIT services available to Members and staff; calls on improved anti-spam measures and stricter rules on the sending of in-house e-mails to the entire EP-domain; invites the Secretary-General to submit a report by 1 September 2004 on multiannual plan on expenditure in informatics;

Security

27. Calls on the Secretary-General to submit a report by 1 July 2004 on the measures taken as a follow-up to the Bureau decision of 25 February 2004;

Thursday 22 April 2004

Miscellaneous

28. Invites the Conference of Presidents to take into account the budgetary implications and the opinion of the Committee on Budgets before deciding on the annual work programme of interparliamentary delegations and delegations to Joint Parliamentary Committees and to respect the budgetary means envisaged for this purpose; reiterates its position that ad hoc delegations should be authorised only in exceptional circumstances, which could not have been foreseen when setting up the annual work programme; considers that an annual financial reference envelope should be set for ad hoc delegations;

29. Requests the Secretary-General to submit a report by 1 July 2004 on the progress of the study on EMAS (Energy Management Assistance Scheme);

30. Takes note of the Ombudsman's decision regarding smoking in the EP premises; calls on the Secretary-General to come up with new measures to comply with the remarks made by the Ombudsman, e.g. to ensure that non-smoker areas are respected;

31. Reiterates, once again, its request for the re-introduction of limitations to the entry into its canteens to ensure that Members and staff can use the premises without unnecessary loss of time and in an appropriate environment; calls on the Secretary-General to propose appropriate measures;

32. Notes that the Bureau is proposing to continue the pilot project on the use of taxis; recalls the discussions in the framework of the 2004 budget and calls on the competent bodies to come up with further proposals for a revision of the car service including monitoring and quality assessment surveys of the users of the service following the discussions in the framework of the 2004 budget; considers that 20 % of the proposed budget for 2005 is placed in reserve pending a further report by September 2004;

33. Calls on its Administration to encourage the use of public transport and other sustainable means of transportation in view of the increase of Members and staff after enlargement; invites its Secretary-General to present to the Committee on Budgets innovative proposals for incentives for the use of public transport together with the possible budgetary implications and to report on the introduction of service bicycles authorised in the 2004 budget;

34. Stresses that subsidies granted from Parliament's budget to the association of former Members (Item 3600) and to the European Parliamentary Association (Item 3601) must comply with the provisions of the Financial Regulation; considers that financial support should be dependent on the submission of detailed information on the planned activities; has decided, at this stage, to enter an amount of EUR 100 000 against Item 3600 ('Cost of meetings and other activities of former Members') in reserve, pending the submission of the following documents: a programme of planned activities and a financial plan for the financial year 2005, proof of paid membership fees during the financial year 2004, as well as a balance sheet and an annual report for the financial year 2003;

35. Is determined, as the driving force behind the movement to set up a WTO Parliamentary Assembly, to ensure that sufficient appropriations become available to provide for the adequate participation, with the necessary infrastructure, of its delegations in all meetings of or leading up to such an assembly;

36. Authorises the amendments proposed in Annex V of the Secretary-General's report on the 2005 preliminary draft estimates concerning the nomenclature of Section I;

37. Reserves its position on the total amount for Section I until Parliament's first reading;

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

Thursday 22 April 2004

P5_TA(2004)0371

EIB annual report**European Parliament resolution on the activity report for 2002 of the European Investment Bank (2004/2012(INI))***The European Parliament,*

- having regard to Articles 266 and 267 of the EC Treaty establishing the European Investment Bank (EIB) and the Protocol on the Statute of the Bank annexed to the Treaty,
 - having regard to the decision of its Conference of Presidents of 15 May 1996 to hold an annual debate on the lending priorities, the annual report and the orientations of the EIB within the Committee on Economic and Monetary Affairs,
 - having regard to the EIB Group annual report, financial report, activity report, report on projects financed and statistics 2002, the annual European Investment Fund report; the Corporate Operational Plan 2003-2005, the annual report of the Audit Committee and the reply of the Board of Directors; and the debate held in the Committee on Economic and Monetary Affairs with the EIB President on 16 June 2003,
 - having regard to the remarks contained in the Court of Auditors' annual report 2002; the Commission/EIB cooperation agreement of January 2000; and the judgment of the Court of Justice of 10 July 2003 in Case C-15/00 concerning the provision of information to OLAF,
 - having regard to the Presidency Conclusions of the Lisbon European Council of 23 and 24 March 2000 and of the Göteborg European Council of 15 and 16 June 2001,
 - having regard to its resolution of 21 November 2002 on the European Investment Bank annual report for 2001 ⁽¹⁾,
 - having regard to Rules 47(2) and 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0258/2004),
- A. whereas the EIB Group is a policy-driven public bank established by the EC Treaty as the European Union's primary financing institution for achieving its objectives (Article 267 of the Treaty),
- B. whereas the EIB must therefore be publicly accountable as it expressed its commitment to comply with codes of transparency and good corporate governance,
- C. whereas the EIB manages its own resources and those specifically assigned to it by the EU,
- D. whereas the EIB's operations are based on three pillars: (a) individual and global loans and structured operations; (b) guarantees and (c) risk capital and the European Investment Fund (EIF),
- E. whereas the EIB's activities are subject to democratic supervision by the European Parliament as regards the general guidelines for EIB activities; whereas, however, in accordance with the Protocol on the European Bank's Statutes, the Board of Governors 'shall lay down general directives for the credit policy of the Bank' (Art. 9.2); whereas the Board of Directors 'shall have sole power to take decisions in respect of granting loans and guarantees' (Art. 11); whereas the European Parliament has neither the powers nor authority to exercise financial control over or to approve the annual accounts of the EIB,

⁽¹⁾ OJ C 25 E, 29.1.2004, p. 390.

Thursday 22 April 2004

- F. whereas the EIB cooperated fully with the European Parliament in drawing up and discussing its resolution of 15 February 2001 on action taken on the European Investment Bank's Annual Report ⁽¹⁾, its resolution of 5 February 2002 on the EIB Annual Report for 2000 ⁽²⁾, and its resolution of 21 November 2002 on the EIB Annual Report for 2001; whereas it followed up the recommendations on transparency and good governance,
- G. whereas the EIB, in common with all European institutions and agencies, is required to act as a model of transparency, probity and good governance,
- H. whereas the above-mentioned objectives should be opened up to objective and adversarial public debate,
- I. whereas the EIB has a catalyst role in attracting finance for investment projects due to its recognized expertise to identify technically, economically, financially and environmentally viable and sustainable projects,
- J. whereas the EIB's activities are not comparable with those of any other commercial bank as the EIB grants loans solely for investment projects and not for the general treasury of public or private undertakings,
- K. whereas the EIB's prime task is to support capital investment promoting sustainable development, economic and social cohesion in the EU, priorities, together with the EIF, are the funding of SMEs, R & D, the development of the information society, environmental protection, regional development and investment in education, employment, health and social infrastructures,
- L. whereas the importance of the EIB's role is also recognised for the implementation of the Growth Initiative in the framework of its i2i programme to support the Lisbon Agenda,
- M. whereas the EIB is subject to OLAF scrutiny, in the same way as all Community institutions, bodies, offices and agencies, as stipulated by the Court of Justice of the European Communities (Case C-15/00),
1. Welcomes the EIB annual activity report and the fact that for the first time the EIB has forwarded its Audit Committee report and related documentation to Parliament;
 2. Welcomes the improvement in the transparency of the information disclosed to the public by the EIB;
 3. Congratulates the EIB on the ratings it has obtained;
 4. Decides to hold a public hearing in autumn 2004 on the EIB activities and policy guidelines, in order to continue a transparent discussion on the issue; notes that the President of the EIB has shown his interest in and availability for that initiative;
 5. Recognises the special statute of the EIB and requests the EIB in this light to come forward with proposals in line with the Commission's action plan on modernising company law and enhancing corporate governance (COM(2003) 284) and the Parliament's resolutions on supervision of financial services and corporate governance;
 6. Calls upon the EIB to better monitor and make transparent the nature and final destination of its global loans in support of SMEs, or of small and medium-size infrastructure and other public works, since from the information analysed it can be inferred that 45 % of global loans are used to fund SMEs;
 7. Calls on the EIB to ensure that adequate risk capital is available for SMEs in all sectors which have problems attracting capital from the stock exchange;
 8. Supports the EIB's attempts to optimise its coordination with the Commission and to inform the Parliament on this issue as regards the EU Structural Funds and Cohesion Fund;

⁽¹⁾ OJ C 276, 1.10.2001, p. 262.

⁽²⁾ OJ C 284 E, 21.11.2002, p. 111.

Thursday 22 April 2004

9. Repeats the need to bring the EIB under prudential supervision, be it by the European Central Bank or by any other structure dealing with banking supervision at European level; recognises once again that this needs to be arranged in the Treaty; Calls therefore upon the Commission and Member States to come with an initiative and asks the EIB actively to consider possibilities and report back to the Parliament;
10. Welcomes the fact that the EIB has adopted the Commission's definition of SMEs and supports its attempts to put it into practice;
11. Strongly calls again upon the EIB, the Court of Auditors and the Commission to amend the tripartite agreement following its expiry on 19 March 2003 to authorise the Court of Auditors to audit both the guarantee and the underlying transaction, in cases where the EIB provides loans; considers that further consideration should be given to improving the supervision of the EIB and is of the opinion that the European Parliament needs to be involved in this; calls on the parties to further amend the tripartite agreement so that the Court of Auditors has at least the same audit rights with respect to the EIB as it has with respect to the ECB, namely the operational efficiency of the management of the EIB;
12. Suggests that the EIB regularly publish an evaluation report on its financial activities, dealing separately with its direct activities, those undertaken by third parties (loans, risk capital, funds, etc.) and its derivative transactions;
13. Asks the EIB to inform the Parliament about compliance with the recommendations in the Annual report of the Audit Committee and the recommendations made by the operations evaluation department in its sectoral reports;
14. Recommends that the EIB also publish information concerning failed projects, if any, in order to learn from such failures;
15. Acknowledges the EIB's commitment to give full access to information necessary for the audit by the Court of Auditors (if necessary including commercially confidential or market-sensitive information) and for scrutiny by OLAF and the Court of Justice;
16. Regrets that the information presented by the EIB on its website appears in only three community languages; encourages the EIB to make the information presented on the website available in more Community languages;
17. Urges the new European Parliament to organise a hearing of experts on the EIB annual report 2003 and 2004 and to formulate conclusions for the Lisbon process concerning the policies of the EIB;
18. Asks the EIB to annually provide the European Parliament and the public, together with the presentation of the EIB's Annual Report, with a written summary of the action undertaken in response to the issues raised in the previous annual report of the Parliament;
19. Instructs its President to forward this resolution to the Council, the Commission and the EIB.
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P5_TA(2004)0372**Eurostat****European Parliament resolution on Eurostat***The European Parliament,*

- having regard to its resolution of 4 December 2003 on the evaluation of the activities of the European Anti-Fraud Office (OLAF) ⁽¹⁾ of 4 December 2003, its resolution of 29 January 2004 on the action taken by the Commission on the observations contained in the resolution accompanying the decision

⁽¹⁾ P5_TA(2003)0551.

Thursday 22 April 2004

giving discharge in respect of the implementation of the general budget of the European Union for the 2001 financial year ⁽¹⁾ and its resolution ⁽²⁾ of 21 April 2004 on granting discharge to the Commission in respect of 2002,

- having regard to the Commission's report to the European Parliament and the Council on the follow-up to 2001 discharges (COM(2003) 651 — C5-0536/2003),
- having regard to Article 276 of the EC Treaty,
- having regard to Article 147 of the Financial Regulation,
- having regard to Rule 37(4) of its Rules of Procedure,

A. whereas it highlighted a number of concerns regarding financial management at Eurostat in its discharge resolution of 8 April 2003 ⁽³⁾ on the financial year 2001,

B. whereas, as a result of Parliament's insistence and several press reports in the spring of 2003, the Commission launched an internal investigation into Eurostat, the results of which were communicated to Parliament on 8 July 2003 together with a number of emergency measures, including the suspension of contracts and senior management pending further examination,

C. whereas three parallel investigations were launched by an internal Commission task force, the Internal Audit Service and OLAF, whose findings were submitted to Parliament at the end of October 2003,

D. whereas Mr Prodi announced an action plan to Parliament in December 2003 in the context of the annual debate on the Commission's legislative programme, which was further detailed by Commissioner Solbes in February 2004,

E. whereas OLAF has so far concluded a number of investigations into specific aspects of the Eurostat case and forwarded some files to public prosecutors in Luxembourg and France, whilst several matters still remain under examination,

1. Recalls the conclusions and recommendations contained in the resolution of 29 January 2004 dealing principally with the follow-up to the Eurostat affair, and in particular with the positive role of whistleblowers in raising concerns, the existence of internal audit reports detailing irregular financial practices and the poor communication and treatment of such information within and across Commission departments resulting in the problem's remaining unaddressed for several years;

2. Regrets the inadequate response so far received to the oral question (O-0067/03) submitted last October and to the resolution of 29 January 2004; demands that the Commission make a full and complete written evaluation by 31 July 2004 of the circumstances of the Eurostat scandal including all OLAF reports, covering in particular the slow response of Commissioners to the warning signals and the poor flow of information within the Commission;

3. Recognises the quality and thoroughness of the work of the Commission's Internal Audit Service as well as Eurostat's IAC; finds, however, the extremely long delays and the resistance and hesitation of the Commission in forwarding these vital reports to Parliament unacceptable; calls on the Commission to consider the full publication of these documents, or at least versions which have been rendered anonymous;

4. Notes that the Financial Regulation was infringed at Eurostat between 1999 and 2003 and that the management of Eurostat neither responded to the reports of the internal audit units by taking decisive action nor informed those in positions of responsibility within Eurostat unambiguously about abuses which had occurred; stresses that although some rule changes may be desirable, the problem was not the lack of good rules but the poor application of existing rules;

⁽¹⁾ P5_TA(2004)0049.

⁽²⁾ P5_TA(2004)0337.

⁽³⁾ OJ L 148, 16.6.2003, p. 21.

Thursday 22 April 2004

5. Welcomes in principle the Eurostat action plan for 2004 and the Commission proposal for a new OLAF Regulation (10 January 2004);

6. Stresses that the case has highlighted serious problems in the working methods of both the Commission and OLAF; considers that the Eurostat affair has highlighted serious shortcomings in the Commission's internal control management system and that the Commission's failure to come up with a convincing response undermines the credibility of the system as a whole;

Commission

7. Considers that the Commission has failed to draw the appropriate conclusions from the Eurostat affair and that, contrary to the undertaking it made at the start of its term of office, it has failed to accept its political responsibility for the matter, either collectively or individually;

8. Notes that the reports so far received about the Eurostat affair have revealed that:

- there was no effective political response to public announcements by OLAF about investigations into Eurostat (July 2002) by either the Commissioner responsible for Eurostat or the Commissioner responsible for budgetary control issues;
- no-one monitored all the pieces of evidence as they slowly came to light;
- the Secretary-General did not pass on any of the information, which was, albeit, very vague, from OLAF to anyone with political responsibility;
- Commissioners' Private Offices ignored or dismissed the information that did reach them;

9. Recognises that the problems originated prior to 1999, but maintains that action to identify and remedy the situation was not taken swiftly enough by the present Commission;

10. Considers that, despite the Commission's efforts to improve relations between Commissioners and departments, the Eurostat affair has made it clear that there was inadequate transparency and communication between Eurostat's management and the Commission's cross-sector departments and between Eurostat and the Commissioner responsible;

11. Believes that these facts demonstrate that insufficient consideration seems to have been given to the systems and methods by which the Commissioners themselves would be able to assume their political responsibilities in the fight against fraud and mismanagement;

12. Reminds the Commissioners that they are responsible for the wrongdoings of officials in their departments ('Committee of Independent Experts', 1999 and the Code of Conduct for Commissioners, 1999); considers that Commissioners cannot be relieved of their responsibility because they did not receive enough information;

13. Regrets the absence of proposals for structural change in the relations between Commissioners and Directors-General, and considers it vital to clarify the leading role of Commissioners as well as their political responsibility; notes that the proposals of the Commission progress report on the actions adopted under the March 2000 White Paper on administrative reform do not go far enough in this regard;

14. Points in particular to the issues of political responsibility that this raises in matters of financial and managerial governance and the weaknesses of the control environment in some departments; calls on the Commission to make proposals for amending the Code of Conduct of Commissioners and structural changes in their relations with Directorates-General so as to make the political responsibility of Commissioners for their departments a meaningful concept; considers it essential that the President of the Commission has the measures at his/her disposal to ensure that the discipline of the Code can be applied;

Thursday 22 April 2004

15. Calls for one member of the College to take responsibility, as in the past, for coordinating the fight against fraud and mismanagement, with specific responsibility *inter alia* for:

- liaising with the Internal Audit Service;
- the scrutiny, review and oversight of the follow-up of all internal audit reports prepared by the audit capabilities of the directorates-general, and for evaluation reports on the management of programmes;
- the Audit Progress Committee;
- relations with OLAF;
- relations with the European Court of Auditors;
- liaison with other Commissioners in their work on budgetary control issues;

16. Believes that each individual Commissioner is accountable for the services under his responsibility and must ensure that their objectives have been achieved on a basis of full respect of the principles of sound financial management; insists that all Commissioners prioritise the fight against fraud and mismanagement within the Directorates-General for which they have responsibility; intends to take into consideration the commitment of candidate Commissioners to this fight during the hearings on the new Commissioners;

17. Calls therefore for one adviser in all Commissioners' Private Offices to be given specific responsibility, in addition to other tasks, for advising his/her Commissioner on issues relating to budgetary control within the DGs for which that Commissioner has responsibility and liaising with the office of the member of the College responsible for budgetary control matters;

18. Reiterates its belief that Commissioners must have a more direct and proactive role in overseeing the work of their departments and taking responsibility for the failings as much as for the successes; intends therefore to hold the future Commission to account for its omissions as well as its actions;

Internal procedures

19. Recalls that the administrative reform has been one of the main objectives of the present Commission, that the White Paper 'Reforming the Commission' (COM(2000) 200) was adopted on 1 March 2000, and that the Commission has committed itself to an ambitious programme for strengthening independence, accountability, efficiency, transparency and the highest standards of responsibility; notes that:

- many very necessary and important steps in the right direction have been taken; and
- there are still potential barriers to reform which have to be addressed;

20. Recalls that the reform places a strong emphasis on decentralisation of financial controls; believes that this in turn highlights the urgent need to develop more suitable and accountable forms of central management supervision of the control systems operating in individual departments;

21. Takes the view that the Eurostat case has highlighted the need to review the relations between these different actors and between the individual Commissioners and the College of Commissioners, as well as the functioning of the chain of accountability, in order to ensure progress not only in the area of financial management but also in the governance structure of the Commission;

22. Calls for the annual activity reports drawn up by the Directors-General to reflect their responsibilities as authorising officers, as provided for by the Financial Regulation; calls for the summary report to include all the key aspects of the various annual activity reports/statements of assurance;

23. Maintains, with reference to the channels used for disseminating requests from Commissioners and the replies issued by departments, that such replies (when relating to topics deemed sensitive) should always be forwarded by the Director-General to the relevant Commissioner himself and not just to his head of office;

Thursday 22 April 2004

24. Deplores the former practice of Eurostat and OPOCE of creating 'financial envelopes'; calls on the Commission to act swiftly and investigate the possibility of other Commission departments' having been engaged in similar practices and to take appropriate action to uncover the truth about the real extent of the system and the final use of the funds in these 'financial envelopes';

Progress at Eurostat

25. Takes note of the actions taken so far to remedy the situation in this Commission department; welcomes in particular:

- the thorough revision of all existing contracts with and subsidies to outside bodies and the cancellation of all automatic contract renewals;
- the complete revision of existing relations between Eurostat and national statistical offices, including grants that were not properly analysed over several years;
- the drastic reduction in the number of publications;
- the internalisation policy, meaning that statistical work will again be executed in-house, as recommended by the IAC-Eurostat reports and demanded in Parliament's above-mentioned 2001 discharge resolution;
- the free publication of statistics via its internet site;
- improved training in financial management;

26. Takes the view that an independent administrative and management audit of the new Eurostat structure should be carried out once OLAF's investigations are complete, and specifically a follow-up report should be drawn up during the present Commission's term of office, analysing whether previous IAS and IAC-Eurostat recommendations were complied with;

27. Considers that, in the case of Eurostat, there was an excessive dependency on external agencies; welcomes, in this regard, the commitment to carry out internally the bulk of Eurostat's tasks and to review the nature of all contracts with external consultants linked to Eurostat;

28. Urges the Commission, in addition, to address the situation of the small sub-contracting firms unintentionally caught up in the affair;

Financial Regulation

29. Calls on the Commission to address, either by a revision of the implementing provisions or by specific legislative/procedural measures, any weaknesses identified in the new Financial Regulation which may expose the Community budget to the risk of fraud; recommends that any such measure be considered in conjunction with the anticipated revision of the OLAF Regulation;

OLAF

30. Underlines the importance of a fully-functioning and independent anti-fraud body for handling complex and sensitive investigations; reiterates its position that OLAF must have institutional independence from the Commission and be accompanied by a body providing proper legal oversight of its operations and ensuring confidentiality and protection of those under investigation;

31. Stresses that the Commission Secretary-General should be required directly to inform the Commissioner responsible for the DG concerned of any internal investigations of which he may be aware through OLAF, even if the information provided is concise; the Commissioner must undertake not to disclose outside the College of Commissioners any confidential information which might be entrusted to him or her;

Thursday 22 April 2004

Interinstitutional bodies

32. Considers, as the case of OPOCE proves, that it is particularly difficult to identify clear political responsibility in interinstitutional bodies; calls therefore on the Institutions to re-examine the legal provisions governing existing interinstitutional bodies, without, however, calling into question the principle of interinstitutional cooperation;

Future action

33. Admits that the Eurostat affair represents a serious set-back for public appreciation of the Commission's administrative reform process; recognises, nevertheless, that almost all of the specific actions from the abovementioned White Paper have been approved; urges the Commission to ensure full and thorough implementation throughout its services, agencies and satellite bodies so that similar circumstances to those at Eurostat can never be repeated;

34. Intends to assess thoroughly all the reports on the Eurostat investigation, promised by OLAF and requested repeatedly by Parliament, most recently in its resolution of 17 December 2003 ⁽¹⁾ when it called for OLAF 'to submit its final reports to Parliament as soon as possible, and by 15 January at the latest'; underlines that so far these have not been received; reaffirms its intention to continue to monitor and scrutinise future developments in the ongoing Eurostat investigations and potential legal actions, with a view to proposing further reforms as required;

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35. Instructs its President to forward this resolution to the Commission, the Council and the Court of Auditors.

⁽¹⁾ P5_TA(2003)0585.

P5_TA(2004)0373

Freedom of expression and information

European Parliament resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights) (2003/2237(INI))

The European Parliament,

- having regard to the motion for a resolution by: Sylviane H. Ainardi and 37 others on the risk of a serious breach of the fundamental rights of freedom of expression and of information in Italy (B5-0363/2003),
- having regard to Article 10 of the European Convention on Human Rights and Article 11 of the Charter of Fundamental Rights of the European Union,
- having regard to Articles 6 and 7 of the Treaty on European Union and Articles 22, 43, 49, 83, 87, 95 and 151 of the EC Treaty,
- having regard to its resolutions of 20 November 2002 on media concentration ⁽¹⁾, of 13 November 2001 on the Commission communication Services of General Interest in Europe ⁽²⁾, of 4 October 2001 on the third report of the Commission to the Council, the European Parliament and the Economic and Social Committee on the application of Directive 89/552/EEC ⁽³⁾ and of 4 September 2003 on the situation situation as regards fundamental rights in the European Union (2002) ⁽⁴⁾,

⁽¹⁾ OJ C 25 E, 29.1.2004, p. 205.

⁽²⁾ OJ C 140 E, 13.6.2002, p. 153.

⁽³⁾ OJ C 87 E, 11.4.2002, p. 221.

⁽⁴⁾ P5_TA(2003)0376.

Thursday 22 April 2004

- having regard to the judgments of the Court of Justice of the European Communities⁽¹⁾ and the European Court of Human Rights⁽²⁾,
- having regard to the recommendations and resolutions of the Council of Europe in this field⁽³⁾,
- having regard to the Commission Communication on the future of European regulatory audiovisual policy (COM(2003) 784), the Green Paper on services of general interest (COM(2003) 270), the Report on the implementation of the EU electronic communications regulatory package (COM(2003) 715) and Fourth Report on the application of Directive 89/552/EEC 'Television without Frontiers' (COM(2002) 778),
- having regard to the Protocol on the system of public broadcasting in the Member States and the Communication of the Commission of 15 November 2001 on the application of State aid rules to public service broadcasting⁽⁴⁾,
- having regard to the report of the European Union Network of Independent Experts on Fundamental Rights (2003), the Reporters Without Borders' annual reports and specific report on 'Conflict of interests in the media: the Italian anomaly' (2003), the reports of the European Federation of Journalists on 'European media ownership' (2003) and 'Crisis in Italian media: how poor politics and flawed legislation put journalism under pressure' (2003) and the figures on concentration in the Italian television and advertising market published inter alia by the Communications Regulatory Authority,
- having regard to the preliminary study of the European Institute for the Media on 'the information of the citizen in the EU: obligations for the media and the Institutions concerning the citizen's right to be fully and objectively informed',
- having regard to the public seminar held in the European Parliament on 19 February 2004 on 'Threats to Pluralism — The need for measures at the European level',
- having regard to Petition 356/2003 by Federico Orlando and three co-signatories (Italian), on behalf of the 'Articolo 21 liberi di' association, on the implementation of Article 7 of the Treaty on European Union regarding the protection of freedom of information in Italy;
- having regard to Rules 48 and 163 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinions of the Committee on Legal Affairs and the Internal Market, the Committee on Culture, Youth, Education, the Media and Sport and the Committee on Constitutional Affairs (A5-0230/2004),

Right to freedom of expression and information — the right to a free and pluralist media

- A. whereas a free and pluralist media is an essential requirement for the full respect of the right of freedom of expression and information, and the case-law of the European Court of Human Rights affirms the obligation of states to protect and, where necessary, to take measures to ensure pluralism in the media,
- B. whereas "...political" pluralism is about the need, in the interests of democracy, for a range of political opinions and viewpoints to be expressed in the media. Democracy would be threatened if any single voice, with the power to propagate a single viewpoint, were to become too dominant, and "cultural" pluralism is about the need for a variety of cultures, reflecting the diversity within society,

⁽¹⁾ Judgment of 26 June 1997 in Case C-368/95 *Familiapress* [1997] ECR I-3689 and judgment of 25 July 1991 in Case C-353/89 *Commission v Netherlands* [1991] ECR I-4069.

⁽²⁾ *Informationsverein Lentia v Austria* (1993) and *Demuth v Switzerland* (2002).

⁽³⁾ Recommendation No R (96) 10 on the guarantee of the independence of public service broadcasting, Resolution (74) 26 on the right of reply — position of the individual in relation to the press, Recommendation No R (94) 13 on measures to promote media transparency, Recommendation No R (99) 1 on measures to promote media pluralism, Recommendation 1589 (2003) on freedom of expression in the media in Europe and Recommendation 1641 (2004) on public service broadcasting.

⁽⁴⁾ OJ C 320, 15.11.2001, p. 5.

Thursday 22 April 2004

to find expression in the media. Cultural diversity and social cohesion may be threatened unless the cultures and values of all groupings within society (for example those sharing a particular language, race, or creed) are reflected in the media' ⁽¹⁾,

- C. whereas political and cultural pluralism within the media presupposes that it is also possible to express a wide range of political opinions, theories and positions in cultural, arts, university and school circles,
- D. whereas a free and pluralist media reinforces the principle of democracy on which the Union is founded (Article 6 of the EU Treaty) and is essential in the European Union, where citizens have the right to stand and vote in municipal and European elections in a Member State of which they are not a national,
- E. whereas, pursuant to Article 151(4) of the EC Treaty, the European Community must take into account in its action respect for and promotion of the diversity of its cultures,
- F. whereas the protection of human rights has become a priority objective of the European Union pursuant to Articles 6 and 7 of the EU Treaty, with the adoption of the Charter of Fundamental Rights, the approval of the Copenhagen criteria for the accession countries, the strengthening of the provisions on European citizenship, the development of an area of freedom, security and justice, the promotion of transparency and privacy, and the prevention of discrimination, and Article II-11(2) of the draft Constitution drawn up by the European Convention provides for the incorporation of the Charter of Fundamental Rights into the Constitution of the European Union,
- G. whereas the European Convention states in Article I-2 of its draft Constitution that pluralism is a fundamental value of the European Union and that the preservation of cultural diversity is enshrined in Article I-3(3) thereof as an objective of the European Union,

1. Considers that where the Member States fail, either because they are not able, or are not willing, to take adequate measures, the EU has a political, moral and legal obligation to ensure within its fields of competence that the rights of EU citizens to a free and pluralist media are respected, in particular, due to the lack of recourse of the Community courts by individuals in the case of an absence of pluralism in the media;

2. Regrets the current fragmentation of the EU regulatory situation as regards the media and stresses that the European Union should use its competences (in relation to audiovisual policy, competition policy, telecommunications policy, state aid, public service obligations, citizens rights) to specify the minimum conditions to be respected by the Member States to ensure an adequate level of pluralism;

Audiovisual (and media) policy

3. Notes that the audiovisual and media sectors are central areas for economic growth and for the realisation of the Lisbon agenda, but that concentration of ownership — often of a cross-border nature — and restrictions on market access limit the potential of European industry and that therefore the protection of media pluralism is essential for the harmonious development of the audiovisual and media sectors, although smaller and specific markets may not have the economic basis for supporting more than one player;

4. Reaffirms the validity of the principles underlying Directive 89/552/EEC ⁽²⁾ including free movement of European television broadcasts, free access to important events, promotion of independent European and recently produced works, protection of minors and public order, protection of consumers through clearly recognisable and transparent advertising and the right of reply, which are the basic pillars ensuring freedom of expression and information;

⁽¹⁾ Gillian Doyle (2003): *Media Ownership: the economics and politics of concentration in the UK and European media*. London: Sage. p. 12.

⁽²⁾ OJ L 298, 17.10.1989, p. 23.

Thursday 22 April 2004

5. Underlines that radio and television broadcasting are complex and constantly evolving, and that the organisation of these services is different in all Member States according to cultural traditions and geographical conditions;
6. Stresses that the concept of the media is undergoing a redefinition through convergence, interoperability, and globalisation; considers that technological convergence and the increase in supply through internet, digital, satellite, cable and other means should not however result in 'convergence' of content; consumer choice and pluralism of content is the key issue, more so than pluralism of ownership or supply;
7. Notes that digital media will not automatically guarantee greater choice, because the same media companies that already dominate the national and global media markets also control the dominant content portals on the Internet, and since the promotion of digital and technical literacy are strategic issues for the development of lasting media pluralism, and expresses concern about the switching off of the analogue frequencies in some parts of the Union;
8. Points out once again that European legislation in the audiovisual sector does not take due account of the transmission of the same or similar content by different means of transmission and that therefore, information society services, with the exception of television and radio, are subject, regardless of their content, to the Directive 2000/31/EC⁽¹⁾;
9. Calls, therefore, once again for a fundamental overhaul of the current legal framework in order to produce a framework package for audiovisual content with different levels of regulation depending on the relevance of the contents in terms of opinion forming, while maintaining the 'minimum requirements' nature of the Directive;
10. Notes the role of the local and regional media in promoting pluralism of sources of information and protecting the diversity of language and culture and the specific task for public broadcasting in this area where commercial media cannot fulfil this role for economic reasons (the markets are too small);
11. Deplores the fact that the protection of pluralism is no longer included among the priorities of the Commission's strategic communications on the audiovisual sector, nor does it even appear as one of the subjects to be dealt with under the revision of the television without frontiers directive;
12. Recognises that the variety of models for regulating the media markets developed by the Member States reflect their different political, cultural and social needs, but is nonetheless concerned that strongly divergent approaches could create obstacles for the free provision of audiovisual and media services in the EU;
13. Regrets that the Contact Committee established under the television without frontiers is mostly composed of representatives of the national government ministries and not by members of independent media regulatory authorities;
14. Welcomes the establishment in some Member States of a media ownership authority with the duty of monitoring the ownership of the media and the power to undertake own-initiative investigations; stresses that such authorities should also monitor compliance with the law, equal access to the media for the various social, cultural and political players and the objectivity and accuracy of the information supplied;
15. Notes that diversity of media ownership and competition between operators is not sufficient to ensure pluralism of media content and that the increased use of press agencies results in the same headlines and content;
16. Considers that pluralism in the EU is threatened by the control of the media by political bodies or persons and by certain commercial organisations, such as advertising agencies, and that, as a general principle, the national, regional or local government should not abuse its position by influencing the media and that, furthermore, even stricter safeguards should be provided for where a member of the government has specific interests in the media;

⁽¹⁾ OJ L 178, 17.7.2000, p. 1.

Thursday 22 April 2004

17. Recalls that the Green Paper examined possible provisions to prevent such conflicts of interests, including rules to disqualify persons who may not become media operators, and rules for the transfer of interests or changes in the 'controller' of the media operator;

18. Considers that, as far as the public is concerned, the principle of pluralism can and must be observed by each and every broadcaster, with due respect for the independence and professionalism of operators and opinion-formers; with this in mind, reaffirms the importance of editorial statutes designed to prevent interference in information content by owners or shareholders or outside agencies such as governments;

19. Welcomes the forthcoming Commission study into the impact of control measures on the markets in television advertising but remains concerned about the relationship between advertising and pluralism in the media as large media companies have an advantage in obtaining more advertising;

20. Stresses expressly that cultural and audiovisual services are not services in the conventional sense and should therefore not be the subject of liberalisation negotiations under international trade agreements, e.g. in the context of GATS;

21. Welcomes the proposal put forward by the European Convention in Article III-217 of its draft Constitution concerning decision-making in connection with the negotiation and conclusion of agreements in the field of trade in cultural and audiovisual services;

Public-service broadcasting

22. Notes the fundamental changes over the last twenty years in the environment in which public-service broadcasters operate owing to competition by the international and commercial media and to technological change;

23. Notes that to promote cultural diversity in the digital age, it is important that public service broadcasting content reaches audiences through as many distribution networks and systems as possible; it is therefore crucial for public-service broadcasters to develop new media services; also notes that the Amsterdam Protocol reserves for Member States the power of defining the mission of public service broadcasters and that the abovementioned Commission Communication of 15 November 2001 states that 'the public service remit might include certain services that are not "programmes" in the traditional sense, such as on-line information services, to the extent that while taking into account the development and diversification of activities in the digital age, they are addressing the same democratic, social and cultural needs of the society in question';

24. Stresses therefore that the concept of public-service broadcasting is evolving in the converging information society; in addition to traditional television and radio broadcasting the development of new media services is becoming increasingly important in order to fulfil their remit to provide pluralistic content;

25. Emphasises the importance of media pluralism for promoting cultural, social and political diversity, and notes, in particular, the duty of the public-sector broadcaster to provide the public with a high-quality service which ensures access to diverse, accurate, objective, neutral and reliable information, culture and content in order to guarantee credibility, pluralism, identity, participation and cultural innovation, as recognised furthermore, by the Protocol on public broadcasting annexed to the Amsterdam Treaty;

26. Stresses the need to ensure that, in all the Member States, the public broadcaster is fully independent and free from interference so that public funding is not used to maintain in power, or to limit criticism of, the government-in-office and that, in the event of interference from the national government, there is recourse to the courts or an independent adjudicator;

Thursday 22 April 2004

27. Notes that although both the Commission communication and the Altmark judgment provide criteria for the compatibility of public funding to public broadcasting, they do not require Member States to ensure adequate funding for public service broadcasters; considers in this connection that the obligation on members of the public to pay a licence fee to support public service broadcasters can be meaningful only if those broadcasters play the specific role of providing the public with diverse, accurate, objective, comprehensive and high-quality information on social, political and institutional issues; notes with concern that the current trend is, on the contrary, towards a deterioration in quality and in content and that the payment of the licence fee for public-service broadcasters is in danger of serving merely to distort the market, owing to the competitive advantage which public-service broadcasters have over the commercial media, which deliver substantially the same content and quality of information;

28. Notes the Commission's investigation into the Dutch State's financing of Dutch public-service broadcasters into whether the Dutch State has provided the public-service broadcasters with more funding than necessary to finance the public service and whether the beneficiaries of the public funds used these excess public funds to cross-subsidise their non-public service commercial activities, and notes the previous investigations into the funding of the public service broadcasters in Italy, Spain and Denmark;

29. Welcomes the use in some Member States of obligations requiring cable operators to carry public service channels and the reservation of some digital transmission capacity for public service operators;

Commercial media

30. Welcomes the contribution of commercial media to innovation, economic growth and pluralism, but notes that the increase in the concentration of the media, including multimedia multinationals and cross-border ownership, threatens media pluralism;

31. Notes that, although the Commission investigates the most significant mergers under the EU Merger Regulation, it does not specifically examine the effect of the merger on pluralism and that approved mergers may still be examined and blocked on the grounds of pluralism by the Member States;

32. Considers that even medium-sized media mergers can have significant effects on pluralism and that media mergers should systematically be subject to an examination of the effect on pluralism either by a competition authority or a separate authority as suggested by the OECD, without compromising editorial and publishers' freedom through governmental or regulatory intervention;

33. Notes the diversity of methods for determining the degree of horizontal concentration in the media (audience-share; licence holder-share; revenue share/frequency limitation and the capital share/broadcasting), and the degree of vertical integration and 'diagonal or cross' concentration in the media;

34. Expresses its concern at the fact that, in some Member States, operators already have exclusive control over access to their output and the viewers through proprietary systems (creation of 'bottlenecks') and other operators or users are excluded ('gate-keeper position');

35. Stresses that open, interoperable application programme interfaces (APIs) are of key significance in ensuring a free flow of information and freedom of choice for users and points to the provision contained in Article 18 of Directive 2002/21/EC⁽¹⁾ calling for extensive interoperability in digital television;

36. Regrets the fact that the Commission has not taken up Parliament's calls and proposals for the timely definition of and support for interoperability;

⁽¹⁾ OJ L 108, 24.4.2002, p. 33.

Thursday 22 April 2004

37. Calls on the Commission, in order to avoid laying down a mandatory standard for digital television, to inform Member States of which measures are legally allowed to assist the migration to an open interoperable standard and to define the criteria it will use to determine whether interoperability and freedom of choice for users have been established before it submits its report by 25 July 2004, pursuant to Article 18(3) of Directive 2002/21/EC, on the achievement of interoperability and freedom of choice for users in the Member States;

38. Points with concern to the increasing influence of electronic programme guides (EPGs), the bundling of programmes and Internet search engines on opinion forming and the trend towards vertical and horizontal cross-border concentrations in this field;

39. Stresses that the question of media pluralism involves, in addition to matters relating to ownership, matters relating to content and the public's right to receive objective and comprehensive information, which requires in particular that the various social, cultural and political players have equal and non-discriminatory access to the media;

Preliminary analysis by the European Parliament

40. Stresses the importance of the reasons behind the European Parliament's initiative concerning the risks of violation in the European Union, and especially in Italy, of freedom of expression and information, which reflect widespread concern across European public opinion about the phenomena of media concentration and conflicts of interest;

41. Welcomes the preliminary study carried out by the European Institute for the Media within the context of a larger study: 'the information of the citizen in the EU: obligations for the media and the Institutions concerning the citizen's right to be fully and objectively informed' which examines a core number of countries including larger Member States, smaller Member States and examples from Scandinavia, southern Europe and eastern Europe to give an overview of different systems reflecting different traditions of media use, and looks forward to the final study, due in June, which will contain final comparative conclusions based on the situation on all 25 current and new Member States and complete recommendations;

42. Notes that in each of the eight countries examined (France, Germany, Ireland, Italy, Netherlands, Poland, Sweden, and United Kingdom) there are issues which require further investigation, and looks forward to the full study so that comparison can be made between all the Member States;

43. Notes furthermore, on the basis of detailed investigations already carried out by independent agencies, including within the European Union, which have prompted a large number of statements by international organisations, national authorities and the European Parliament itself that have been ignored by the Italian Government, that there could be a risk of breaches of the right to freedom of expression and information in Italy;

44. Notes, on the basis of its preliminary investigation into whether pluralism is adequately protected, that there are sufficient concerns to warrant a detailed examination of the situation by the Commission followed by the submission of appropriate legislative proposals;

45. Considers that the report of the European Institute for the Media provides a basis for an annual report on pluralism examining the level of concentration on the supply side, (horizontal, vertical and cross-ownership), including the distribution of advertising resources, editorial independence, diversity of content (internal and external) and demand, i.e. public preferences;

Situation in the Member States

46. Notes that during 2002 in France:

- there were several violations of press freedom (e.g. the destruction of the print-run of a new free daily by the Unions, and of journalists being under pressure from the police);

Thursday 22 April 2004

- the French courts often rule against journalists in cases of libel as a result of the country's outdated defamation legislation and the protection of confidential sources; and
- the ECHR ruled that a Paris Appeals Court violated Article 10 of the European Convention on Human Rights⁽¹⁾;

47. Notes that in Ireland:

- in the context of updating the defamation law, the National Newspapers of Ireland submitted a proposal for an establishment of an independent Press Council and Press Ombudsman but that the Legal Advisory Group is seeking a statutory model consisting of Government appointees who would draw up their own Code of Standards and have complete power of the courts to enforce those codes,
- there is no level playing field due to the payment of VAT on Irish newspapers but no VAT on the UK newspapers, which have approximately 25 % of the Irish market,
- Independent Newspapers have a seemingly dominant position in the Irish market (reported variously as 50-80 %) and the competition authority has concluded that there is sufficient editorial diversity and, thus, media pluralism is not threatened;

48. Notes that in Germany:

- the Federal Constitutional Court found that surveillance of telecommunications (i.e. the tracing of journalists' phone calls) did not constitute a breach of constitutional liberties as provided for in Articles 10 and 19 of the Basic Law, which guarantee confidentiality of information,
- a legislative proposal introduced by the Bundesrat in September 2003 and intended to afford individuals better protection against unauthorised photographing would punish infringements with prison sentences of up to two years or equivalent fines,
- there is no law ensuring access to documents of public authorities at the national (i.e. federal) level and that only four of the federal states have enacted such legislation;

49. Notes that in Poland:

- the publishing company Agora, which owns the top-selling daily newspaper and 20 local radio stations and 11 magazines, allegedly 'was asked to pay a bribe for "lobbying" to achieve a more favourable media law allowing the publisher to acquire a private television station',
- it is estimated that foreign investment in the print media covers 40 % of the sector, and that this poses problems for journalistic freedoms with foreign publishers creating less-favourable working conditions than for their own companies, which discourages professionalism⁽²⁾,
- there is a restriction of internal freedom of the press within Article 10 of the Press law, which stipulates that a journalist must obey and follow the general principles of his/her publisher,
- there are currently no provisions (and no apparent plans to introduce provisions) in Polish media law regarding media concentration and the protection of pluralism;

50. Notes that in the Netherlands:

- there is a high level of concentration in both the television and press sectors where the three main suppliers control at least 85 % of the market and that, although the Netherlands has the highest penetration of cable TV services in Europe, this market is also dominated by three major cable operators,

⁽¹⁾ Colombani and others, judgment of 25 June 2002.

⁽²⁾ It should however be noted that several foreign companies operating in Poland, namely the Norwegian Orkla-group and the Springer-Verlag Group 'have voluntarily introduced internal rules to protect their writing staff from outside pressure and to separate managerial and editorial responsibilities' (OSCE).

Thursday 22 April 2004

51. Notes that in Sweden:

- the media are characterised by a fairly high degree of cross-media ownership, interlocking ownership structures between major players in the audiovisual field and cooperation agreements between the press and broadcasting industry where companies in both sectors are controlled by the same group; and that
- an investigation into the special conditions prevailing in the press markets has been criticised, as a study of the newspaper industry in isolation from other media would be inadequate under current market conditions;

52. Notes that in the United Kingdom:

- there is intense debate following the Hutton Report into the circumstances surrounding the death of scientist and Government advisor, David Kelly, the criticism by the public-service broadcaster of the reasons put forward by the government for the war in Iraq, the resignation of the Director-General and the Chairman of the Board of Governors and the potential ramifications for the practice of investigative journalism and, separately, there is much debate concerning the review of the BBC's Charter and Agreement, which is considered a model for other systems;

53. Notes, as regards Spain, that:

- the employees of the Spanish public television channel TVE published a report denouncing the unprofessional practices used to foster unbalanced, biased or manipulated provision of information between 28 February 2003 and 5 March 2003 on the military intervention in Iraq and taking the view that the channel focused on the position of those in favour of military intervention and ignored that of those advocating the continuation of the inspections and opposing the use of military force⁽¹⁾;
- there is as yet no independent media regulatory authority;
- in its 2003 annual report (containing 2002 data) the Reporters Without Borders NGO expressed concern at ETA terrorist threats and attacks against journalists in the Basque Country (three explosive devices targeted at journalists were deactivated during the year) and those against a Madrid newspaper, perpetrated by an Italian anarchist group; the organisation also denounced the obstacles encountered by journalists seeking to report on the banning of the Batasuna party and the Prestige environmental disaster,
- government pressure on the public-service broadcaster TVE resulted in blatant distortion and ignoring of the facts regarding responsibility for the appalling terrorist attacks of 11 March 2004;

54. Recognises that the accession countries have made substantial progress in adopting the 'acquis', but is concerned that some accession countries, having little or no tradition of independent media, face particular challenges in relation to ensuring pluralism in the media, and doubts that these countries will recognise media pluralism as a priority and take adequate action to promote it;

Situation in Italy

55. Notes that the level of concentration of the television market in Italy is currently the highest within Europe and that while Italian television offers twelve national channels and ten to fifteen regional and local channels, the market is characterised by the duopoly between RAI and Mediaset where both operators together account for almost 90 % of the total audience share and collect 96,8 % of advertising resources, as against 88 % for Germany, 82 % for the United Kingdom, 77 % for France and 58 % for Spain;

56. Notes that the Mediaset group is the largest private television and communications group in Italy and one of the largest in the world and controls (inter alia) television networks (RTI S.p.A.) and advertising

⁽¹⁾ Reported by ABC on 11 March 2003.

Thursday 22 April 2004

franchise holders (Publitalia '80), both of which have been formally found to hold a dominant position in breach of national law (Law 247/97) by the Communications Regulatory Authority (decision 226/03)⁽¹⁾;

57. Notes that one of the sectors in which the conflict of interests is most obvious is advertising, given that in 2001 the Mediaset group was in receipt of two thirds of television advertising resources, amounting to a total of EUR 2 500 million, and that the main Italian companies have transferred much of their investment in advertising from printed matter to the Mediaset networks and from Rai to Mediaset⁽²⁾;

58. Notes that the President of the Italian Council of Ministers has not resolved his conflict of interests as he had explicitly pledged, but on the contrary has increased his controlling shareholding in the company Mediaset (from 48,639 % to 51,023 %), thereby drastically reducing his own net debt through a marked increase in advertising revenue to the detriment of competitors' revenues (and ratings) and, above all, of advertising funding for the written press;

59. Regrets the repeated and documented instances of governmental interference, pressure and censorship in respect of the corporate structure and schedules (even as regards satirical programmes) of the RAI public television service, starting with the dismissal of three well-known professionals at the sensational public request of the President of the Italian Council of Ministers in April 2002 — in a context in which an absolute majority of the members of the RAI board of governors and the respective parliamentary control body are members of the governing parties, with this pressure then being extended to other media not under his ownership, leading inter alia to the resignation of the editor of *Corriere della Sera* in May 2003;

60. Notes, therefore, that the Italian system presents an anomaly owing to a unique combination of economic, political and media power in the hands of one man — the current President of the Italian Council of Ministers — and to the fact that the Italian Government is, directly or indirectly, in control of all national television channels;

61. Notes that in Italy the broadcasting system has been operating in extralegal circumstances for decades, as repeatedly recognised by the Constitutional Court, and in the face of which the efforts of the ordinary legislator and the competent institutions have proved ineffective in re-establishing a legal regime; RAI and Mediaset each continue to control three terrestrial analogue television broadcasters, despite the fact that the Constitutional Court in its judgment No 420 of 1994 has ruled it impermissible for one and the same entity to broadcast over 20 % of the television programmes transmitted domestically on terrestrial frequencies (i.e. more than two programmes) and has found the regulatory regime under Law No 223/90 to be contrary to the Italian Constitution, despite being a 'transitional regime'; nor did Law No 249/97 (establishing the Communications Guarantee Authority and rules on telecommunication and radio and television systems) abide by the prescriptions of the Constitutional Court which, in its judgment 466/02, declared the constitutional illegitimacy of Article 3(7) thereof, 'insofar as it does not provide for the establishing of a hard-and-fast deadline, in any event not exceeding 31 December 2003, by which the programmes transmitted by broadcasters exceeding the limits referred to in paragraph 6 of Article 3 must be broadcast exclusively via satellite or via cable';

⁽¹⁾ The Mediaset group controls:

- television networks (Canale 5, Italia 1 and Rete 4 in Italy and the Telecinco group in Spain
- satellite television (coming under Mediadigit) and terrestrial digital television networks,
- advertising concerns (Publitalia '80 in Italy and Publiespaña in Spain),
- companies with a link to television broadcasting (Videotime, RTI Music, Elettronica Industriale, Mediavideo),
- companies producing and distributing television products (Mediatrade, Finsimac, Olympia),
- a fixed telephony company (Albacom),
- an Internet portal (Jumpy S.p.A.),
- a cinema distribution company (Medusa, which controls the retailer Blockbusters),
- investment and financial services groups (Mediaset Investment in Luxembourg and Trefinance),
- an insurance company (Mediolanum),
- a construction company (Edilnord 2000),
- a football team (AC Milan),
- the Arnoldo Mondadori Editore publishing house, which includes Italy's largest publisher of books and a wide range of magazines,
- the 'Il Giornale' newspaper and the 'Il Foglio' newspaper.

⁽²⁾ For example, in 2003 Barilla invested 86,8 % less in newspaper advertising and spent 20,6 % more on adverts on the Mediaset networks and Procter&Gamble 90,5 % less in newspaper advertising and 37 % more on the Mediaset networks; even a public company like the Wind telephone operator cut its advertising expenditure in newspapers by 55,3 % and increased it on Mediaset networks by 10 %; furthermore, in 2003 Rai lost 8 % of its advertising resources to Mediaset, making for an EUR 80 million loss in earnings. (Source: *Corriere della Sera*, 24 June 2003).

Thursday 22 April 2004

62. Notes that the Italian Constitutional Court declared in November 2002 (Case 466/2002) that the present Italian private television system operating at national level and in analogue mode has grown out of situations of simple de facto occupation of frequencies (operation of installations without concessions and authorisations), and not in relation to any desire for greater pluralism in the distribution of frequencies and proper planning of broadcasting ... This de facto situation does not therefore guarantee respect for external pluralism of information, which is an essential requirement laid down by the relevant constitutional case law ... In this context, given the continued existence (and aggravation) of the situation which was ruled illegal by Judgment No 420 in 1994 and of networks considered 'surplus' by the 1997 legislature, a final deadline must be set that is absolutely certain, definitive and hence absolutely binding in order to ensure compatibility with constitutional rules; notes that, nonetheless, the deadline for the reform of the audiovisual sector has not been respected and that the law for the reform of the audiovisual sector has been sent back by the President of the Republic for a new examination by the Parliament due to the non-respect of the principles declared by the Constitutional Court ⁽¹⁾;

63. Notes also that the guidelines laid down for the sole concessionary of public service broadcasting by the Parliamentary committee for the general guidance and supervision of broadcasting services, along with the numerous decisions adopted by the Communications Guarantee Authority (responsible for enforcing laws in the broadcasting sector) certifying breaches of law by broadcasters, are not respected by broadcasters themselves who continue to grant access to the national television medium in an essentially arbitrary manner, even during electoral campaigns;

64. Hopes that the legislative definition contained in the draft act for reform of the audiovisual sector (Article 2, point G of the Gasparri law) of the 'integrated system of communications' as the only relevant market does not conflict with Community competition rules within the meaning of Article 82 of the EC Treaty or with numerous judgments of the Court of Justice ⁽²⁾, and does not render impossible a clear and firm definition of the reference market;

65. Hopes also that the 'system for assigning frequencies' provided for in the draft Gasparri law does not constitute mere legitimisation of the de facto situation and does not conflict, in particular, with Directive 2002/21/EC, Article 7 of 2002/20/EC ⁽³⁾ or Directive 2002/77/EC ⁽⁴⁾, which specify, inter alia, that the assigning of radio frequencies for electronic communication services must be based on objective, transparent, non-discriminatory and proportionate criteria;

66. Highlights its deep concern in relation to the non-application of the law and the non-implementation of the judgments of the Constitutional Court, in violation of the principle of legality and of the rule of law, and at the incapacity to reform the audiovisual sector, as a result of which the right of its citizens to pluralist information has been considerably weakened for decades; a right which is also recognised in the Charter of Fundamental Rights;

67. Is concerned that the situation in Italy could arise in other Member States and the accession countries if a media magnate chose to enter into politics;

68. Regrets that the Italian Parliament has yet to adopt a regulation resolving the conflict of interests of the President of the Italian Council of Ministers, which, it was promised, would take place within the first hundred days of his government;

69. Considers that the adoption of a general reform of the audiovisual sector could be facilitated if it were to contain specific and adequate safeguards to prevent actual or future conflicts of interest in the activities of local, regional or national executive members who have substantial interests in the private audiovisual sector;

⁽¹⁾ See the judgments of the Constitutional Court of 10 July 1974 (Nos 225 and 206) and 28 July 1976 (No 202) on Law No 103 of 14 April 1975 (GURI, 17 April 1975, No 102), the negative opinion from the Constitutional Court, in its judgment of 21 July (No 148), which criticised the lack of anti-trust legislation and the resultant de facto and de jure creation of monopolies and oligopolies. The Constitutional Court, Judgment No 826/88, Judgement of 1994 (No 420, GURI No 51, 14 December 1994) and Judgment 466/2002.

⁽²⁾ For the characteristics of substitutability of the reference market see the judgments of 21 February 1973 in Case 6/72 *Continental Can* [1973] ECR 215, of 13 February 1979 in Case 85/76 *Hoffman La-Roche* [1979] ECR 461, of 25 October 2001 in Case C-475/99 *Ambulanz Glöckner* [2001] ECR I-8089; for the lack of a sufficient degree of substitutability of the reference market see judgment of 14 February 1978 in Case 27/76 *United Brands* [1978] ECR 207 and judgment of 11 April 1989 in Case 66/86 *Ahmed Saeed* [1989] ECR 803.

⁽³⁾ OJ L 108, 24.4.2002, p. 21.

⁽⁴⁾ OJ L 249, 17.9.2002, p. 21.

Thursday 22 April 2004

70. Hopes, moreover, that the draft Frattini law on conflict of interests will not stop at de facto recognition of the premier's conflict of interests, but will provide for adequate mechanisms to prevent this situation from continuing;

71. Regrets that, if the obligations of the Member States to ensure pluralism in the media had been defined after the 1992 Green Paper on pluralism, the current situation in Italy could possibly have been avoided;

Recommendations

72. Notes that the European Community already has competence in a number of policy areas and avails itself of policy tools with direct relevance for media pluralism, such as the rules on free access for undertakings to important events in Directive 89/552/EEC, rules on fair, reasonable and non-discriminatory access to APIs and EPGs in Directive 2002/19/EC⁽¹⁾, on 'must-carry' in the Directive 2002/22/EC, on the use of an open API for digital interactive television services and platforms and on the harmonisation of standards in order to achieve full interoperability of digital television at the level of consumers in Directive 2002/21/EC;

73. Stresses that these tools need to be understood as core elements of the Community's policy to safeguard media pluralism and thus need to be applied, interpreted and further developed by the Commission with a view to strengthening these measures in order to combat horizontal and vertical media concentration in traditional as well as in new media markets;

74. Calls, therefore, on the Member States and the Commission to safeguard pluralism in the media and to ensure, in accordance with their powers, that the media in all Member States are free, independent and pluralist;

75. Calls on the Commission to submit a communication on the state of media pluralism in the EU as soon as possible including:

- (a) a review of existing measures and practices, both in the Member States and at European level, designed to encourage political and cultural pluralism within or between editorial offices, including with regard to content, and promote an analysis of any shortcomings, acknowledging the economic challenges to guaranteeing pluralism on smaller and specific markets such as local or small country regions,
- (b) a thorough examination of the possibility of action based on its existing competences and its obligations to ensure a high level of protection of human rights,
- (c) an examination of the measures which should be taken by the Member States and those which should be taken by the European institutions,
- (d) an examination of the use of appropriate instruments, including the use of non-binding instruments during a first stage which could then lead to binding instruments if insufficient action is taken by the Member States, and
- (e) a consultation procedure on a possible action plan of measures to be taken at the EU level or by the Member States to ensure an adequate level of pluralism across the European Union;

76. Calls on the Commission to submit a proposal for a directive to safeguard media pluralism in Europe in order to complete the regulatory framework, as requested in its abovementioned resolution of 20 November 2002;

77. Considers that the protection of media diversity should become the priority of EU competition law, and that the dominant position of a media company on the market of a Member State should be considered as an obstacle to media pluralism in the European Union;

⁽¹⁾ OJ L 108, 24.4.2002, p. 7.

Thursday 22 April 2004

78. Emphasises that legislation should be adopted at European level to prohibit political figures or candidates from having major economic interests in the media; considers that legal instruments should be introduced to prevent any conflict of interest; calls on the Commission to submit proposals to ensure that members of government are not able to use their media interests for political purposes;

79. Calls, therefore, on the Commission also to examine the following issues for inclusion in an action plan on measures to promote pluralism in all EU sectors of activity:

- (a) the revision of the television-without-frontiers directive to clarify the obligation of the Member States to promote political and cultural pluralism within or between editorial offices, taking into account the need for a consistent approach across all communications services and media forms;
- (b) the establishment of EU-wide minimum conditions to ensure that the public service broadcaster is independent and free from interference by the government, as recommended by the Council of Europe;
- (c) the promotion of political and cultural pluralism in journalism courses so that the views held within society are adequately reflected within or between editorial offices;
- (d) an obligation on the Member States to make an independent regulator (such as the telecommunications or competition regulator) responsible for monitoring media ownership and equal access and with the power to undertake own-initiative investigations;
- (e) for the establishment of a European 'Working Party' composed of independent national media regulators (see, for example, the Article 29 data-protection group);
- (f) rules requiring the transparency of the ownership of the media, in particular, in relation to cross-border ownership and for the publication of information on significant interests in the media;
- (g) a requirement that information on media ownership collected in the national markets be sent for comparison to a European-wide body, such as the European Audiovisual Observatory;
- (h) an examination into whether divergent national regulatory models create obstacles in the internal market and whether there is a need for the harmonisation of the national rules restricting the horizontal, vertical and cross ownership of the media to ensure a level playing field and, in particular to ensure an adequate supervision of cross-border ownership;
- (i) an examination of the need to introduce in the EU Merger Regulation a 'pluralism' test and lower thresholds in relation to media mergers, or whether such provisions should be included in the national rules;
- (j) guidelines on the way the Commission is to take public-interest concerns such as pluralism into account when applying competition law to media mergers,
- (k) an examination into whether the advertising market distorts the conditions of competition in the media sector and whether specific controls on the advertising market are needed to ensure equitable conditions of access;
- (l) a review of the 'must carry' obligations in the Member States on telecommunications operators to carry the public service broadcasters, the market trends and whether further measures are needed to promote the distribution of the public service broadcasters;
- (m) the establishment of a general right of EU citizens applicable to all media to reply to inaccurate information, as recommended by the Council of Europe;

Thursday 22 April 2004

- (n) an examination into the need to reserve sufficient digital transmission capacity for public service broadcasters;
- (o) a scientific study on the impact of the new communication technologies and services on media concentration and pluralism;
- (p) a comparative study on national rules relating to political information — in particular in the context of elections and referendums — and equal and non-discriminatory access for different groupings, movements and parties to the media, as well as the identification of best practices in this field to guarantee the right of citizens to information, to be recommended to Member States;
- (q) possible specific measures which should be adopted to assist the development of pluralism in the accession countries;
- (r) the establishment of an independent body in the Member States, such as a Press Council, consisting of external experts, to oversee disputes over reporting by the media and journalists,
- (s) measures to encourage media organisations to strengthen editorial and journalistic independence and high standards of quality and ethics through editorial statutes or self-regulatory means;
- (t) the promotion of works councils in media organisations, and in particular, in companies established in the accession countries;

80. Recalls that the Commission's action should, however, be based on the principle of proportionality laid down in Article 5 of the Treaty establishing the European Community, which provides that any action by the Community shall not go beyond what is necessary to achieve the objectives of the Treaty;

81. Calls for the preparation of an annual report on pluralism which assesses the diversity of the content (internal and external) in relation to the political and cultural preferences of the public, assesses editorial independence, and analyses the impact of concentration of ownership on diversity; and for pluralism in the media to be specifically included in the annual report of the EU network of independent experts on human rights;

82. Calls on the Commission to provide clarification of the Altmark ruling to the broadcasting sector and to prepare a draft directive under the codecision procedure on the conditions for validation of funding;

83. Asserts that any legal or administrative measures instituted by a Member State and affecting the pluralism of the media or the freedom of expression and information, as well as the absence of action by a Member State to protect these fundamental rights could fall within the scope of Article 7(1) or Article 7(2) of the Treaty on European Union;

84. Considers that, where Parliament has political misgivings regarding media diversity and pluralism in one of the Member States, it should have the possibility of independently initiating procedures to investigate the matter before using, as a last resort, its right of initiative under Article 7(1) TEU;

85. Calls for the inclusion of a specific provision in the Constitution for Europe on the need to ensure pluralism in the media;

86. Urges Member States to incorporate in their national constitutions an active duty to promote respect for freedom and diversity of the media, implementing in more detailed form what was laid down in this respect in the Charter of Fundamental Rights of the European Union in December 2000 in Nice; considers that, in order to guarantee that this duty is carried out, an independent court should be empowered to examine legislation and regulations in this field for conformity with the said provisions of the constitution;

Thursday 22 April 2004

87. Invites the Italian Parliament to:

- accelerate its work on the reform of the audiovisual sector in accordance with the recommendations of the Italian constitutional court and the President of the Republic, taking account of the provisions in the Gasparri Bill which are incompatible with Community law, as noted by those authorities;
- to find a genuine and appropriate solution to the problem of a conflict of interest of the President of the Italian Council of Ministers who also directly controls the principal provider of private and, indirectly, public television, the main advertising franchise holder and many other activities connected with the audiovisual and media sector,
- to take measures to ensure the independence of the public service broadcaster;

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88. Instructs its President to forward this resolution to the Council, the Commission, the Council of Europe and the governments and parliaments of the Member States and the accession countries.

P5_TA(2004)0374

Situation in Pakistan

European Parliament resolution on the situation concerning human rights and democracy in the Islamic Republic of Pakistan

The European Parliament,

- having regard to the Commercial Cooperation Agreement between the European Economic Community and the Islamic Republic of Pakistan of 21 June 1976 (Council Regulation (EEC) No 1503/76) ⁽¹⁾,
- having regard to the Agreement for Commercial, Economic and Development Cooperation between the European Economic Community and the Islamic Republic of Pakistan of 22 April 1986 (Council Regulation (EEC) No 1196/86) ⁽²⁾,
- having regard to the Council Decision of 15 July 1996 whereby the Council authorised the Commission to open negotiations with Pakistan with the task of concluding a Cooperation Agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development (also referred to as the third Generation Cooperation Agreement (8108/1999 — COM(1998) 357 — C5-0659/2001)) ⁽³⁾ and adopting directives to that end,
- having regard to the fact that, while the text was initialled on 22 April 1998, signature was repeatedly postponed due to Pakistan conducting nuclear tests, human rights abuses, the Kargil fighting, and the military take-over of 12 October 1999,
- having regard to the fact that the Agreement was finally signed by President Musharraf, Council President Verhofstadt and Commission President Prodi in Islamabad on 24 November 2001,
- having regard to Article 1 of this Agreement which stipulates that ‘respect for human rights and democratic principles ... constitutes an essential element of [the] Agreement’,
- having regard to its numerous previous resolutions on human rights, in particular its resolutions of 25 April 2002 ⁽⁴⁾ and of 10 February 2004 ⁽⁵⁾,

⁽¹⁾ OJ L 168, 28.6.1976, p. 1.

⁽²⁾ OJ L 108, 25.4.1986, p. 1.

⁽³⁾ OJ C 17, 22.1.1999, p. 6.

⁽⁴⁾ OJ C 131 E, 5.6.2003, p. 147.

⁽⁵⁾ P5_TA(2004)0079.

Thursday 22 April 2004

- having regard to the military coup of 1999, under the direction of General Pervez Musharraf, overthrowing the democratically-elected government of Nawaz Sharif,
 - having regard to the subsequent ruling by the Supreme Court that General Musharraf was to prepare the country for a return to democracy within three years, in keeping with a roadmap for the restoration of democracy,
 - having regard to the referendum held on 30 April 2002 aimed at reconfirming President General Musharraf in power for a further five years, which was criticised as both unconstitutional and involving massive electoral malpractice,
 - having regard to the general election held in Pakistan on 10 October 2002, which was considered by the EU Election Observation Mission (EU EOM) to be seriously flawed,
 - having regard to Pakistan's continuing exclusion from the decision-making councils of the Commonwealth,
 - having regard to the positive outcome of the SAARC Summit held in Islamabad in January 2004,
 - having regard to Rule 37(2) of its Rules of Procedure,
- A. whereas there are still a number of key issues regarding the extent to which Pakistan is respecting democratic principles and human rights which give rise for concern,
- B. whereas Parliament has strongly and consistently supported human rights clauses in trade and cooperation agreements and believes that the best way of exerting pressure on Pakistan to improve its human rights record and to make much greater progress on restoring democracy is by maintaining open lines of dialogue in every possible field,
- C. whereas the European Union, under EC-Pakistan development cooperation, provides significant funding to Pakistan for poverty alleviation and social sector development; whereas there are a number of sectoral agreements between the European Community and Pakistan; whereas the EU signed an agreement contributing EUR 5 million to a Cooperation Programme on Trade-related Technical Assistance for Pakistan during the February 2004 Troika visit to Islamabad,
- D. whereas the third Generation Cooperation Agreement currently under discussion does not have any direct financial implications, but would lend greater international endorsement to General Musharraf for the steps he has taken and encourage further movement towards the restoration of democracy,
1. Recognises the difficult decision taken by Pakistan to join the international community in its fight against terrorism and the important role it is playing towards strengthening global security; notes the decisive — but domestically unpopular — action taken by Pakistan recently against Al Qaeda and the resurgent Taliban in Waziristan;
 2. Notes the desire of the EU to deepen and broaden its relationship with Pakistan; believes this can best be assisted by Pakistan making progress in human rights and democracy;
 3. Draws attention to the 2002 general election process, which was widely judged to be flawed; is concerned, too, by the outcome of the negotiations on the Legal Framework Order (LFO), which has resulted in the Musharraf administration sidelining the main opposition parties and in transforming Pakistan's system of governance from a parliamentary to a presidential one, where the President has the power to dismiss Parliament;

Thursday 22 April 2004

4. Regrets that the military continue to exert a strong influence within politics and government in Pakistan, and is most concerned that the LFO-sanctioned establishment of a National Security Council which, according to the 2003 US State Department Annual Report on Human Rights, will 'legitimise the role of the military in politics', goes totally against the spirit of the roadmap for the restoration of democracy, which was supposed to transfer power from a military rule to a civilian administration;
 5. Is extremely disturbed by the serious, recurrent human rights abuses in Pakistan, including the treatment of women ('honour' killings and the Hudood Laws), child labour, the treatment of religious minorities (including the Ahmadi community and the Christian minority, who have also suffered persecution under the blasphemy laws) and journalists, and the consistent problems related to freedom of expression, of assembly, and from arbitrary arrest; has, on a number of occasions, registered its protest at the detention of Javed Hashmi, leader of the opposition Alliance for the Restoration of Democracy (ARD), on charges of criticising the army; is horrified to learn that he has now been sentenced to 23 years in jail;
 6. Takes note of the steps taken to regulate the 'madrassas', or religious schools, but regrets the weak implementation of this policy, the Musharraf government having publicly reassured the clergy that it will not interfere in the internal affairs of the madrassas;
 7. Notes that, while President Musharraf vowed to crack down on terrorism and the 'jihad' culture and, post-September 11 2001, banned many extremist groups, these have simply resurfaced under different names and their leaders have not been prosecuted under the Anti-Terrorism Act;
 8. Draws attention to the serious concerns of the international community about Pakistan's role in the proliferation of nuclear weapons, with the allegations and evidence against Pakistan hardening day by day; while acknowledging that President Musharraf has been right to insist upon a detailed investigation and that he is right when he claims that the Khan 'incident' happened because of the secretive nature of Pakistan's nuclear weapons programme, highlights the fact that President Musharraf (and the rest of the world) should also recognise that nuclear proliferation happened because the nuclear programme was under the — totally unaccountable — control of the army;
 9. Urgently requests further information from Pakistan regarding the nuclear test of 30 May 1998 in Baluchistan which showed traces of plutonium and which is thought by some to have been a joint test for a North Korean nuclear weapon;
 10. Acknowledges both the bold initiative taken by Pakistan to normalise relations with India, and the correspondingly positive response of India; welcomes, therefore, the subsequent thaw in relations between the two countries, making the prospects of resolving the Kashmir issue much better than they have been for years;
 11. Recalls that politically motivated trials and sentences cannot be accepted; in this context, demands the immediate release of opposition leader Javed Hashmi;
 12. Notes that Pakistan has made a number of moves towards addressing some of the above concerns; stresses, however, that key concerns related to democracy, human rights, the position of women, children and minorities, the right of free expression, the nuclear proliferation issue and the role of the military in the controversy and in Pakistan's political life in general, as well as the permissive attitude towards extremists must not be overlooked;
 13. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the government of Pakistan.
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Thursday 22 April 2004

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Transatlantic relations

European Parliament resolution on the state of the Transatlantic Partnership on the eve of the EU-US Summit in Dublin on 25/26 June 2004

The European Parliament,

- having regard to the draft Treaty establishing a Constitution for Europe of 18 July 2003, prepared by the European Convention,
- having regard to the Transatlantic Declaration on EU-US relations of 1990 and the New Transatlantic Agenda of 1995 (NTA),
- having regard to the Conclusions and Plan of Action of the Extraordinary European Council meeting held in Brussels on 21 September 2001 and the Declaration by the Heads of State and Government of the European Union and the President of the Commission on the attacks of 11 September 2001 and the fight against terrorism made at the informal European Council in Ghent on 19 October 2001,
- having regard to the European Council Declaration on Transatlantic Relations annexed to the Presidency Conclusions of the European Council meeting in Brussels on 12/13 December 2003,
- having regard to UN Security Council Resolutions 1368 (2001), adopted by the Security Council at its 4370th meeting on 12 September 2001 ⁽¹⁾, 1269 (1999), adopted by the Security Council at its 4053rd meeting on 19 October 1999 ⁽²⁾ and 1373 (2001), adopted by the Security Council at its 4385th meeting, on 28 September 2001 ⁽³⁾,
- having regard to the Road Map to a Permanent Two-State Solution to the Israeli-Palestinian Conflict agreed by the Quartet of 20 December 2002, and to its resolution of 23 October 2003 on Peace and Dignity in the Middle East ⁽⁴⁾,
- having regard to its resolution of 25 September 2003 on the Fifth Ministerial Conference of the WTO in Cancun ⁽⁵⁾,
- having regard to its resolution of 10 April 2003 on the new European security and defence architecture — priorities and deficiencies ⁽⁶⁾,
- having regard to its resolutions of 17 May 2001 on the state of the transatlantic dialogue ⁽⁷⁾; of 13 December 2001 on EU judicial cooperation with the United States in combating terrorism ⁽⁸⁾; of 15 May 2002 on Reinforcing the Transatlantic Relationship: Focusing on Strategy and Delivering Results ⁽⁹⁾; of 19 June 2003 on a Renewed Transatlantic Relationship for the Third Millennium ⁽¹⁰⁾; and to its Recommendation of 10 March 2004 on the Guantanamo detainees' right to a fair trial ⁽¹¹⁾,
- having regard to Rule 37(2) of its Rules of Procedure,

A. whereas the forthcoming UE-US Summit is the first to take place following the significant enlargement of the European Union with 10 new Member States, which should in parallel imply a marked reinforcement of the EU-US global partnership,

⁽¹⁾ <http://www.un.org/Docs/scres/2001/res1368e.pdf>

⁽²⁾ <http://www.un.org/Docs/scres/1999/99sc1269.htm>

⁽³⁾ <http://www.un.org/Docs/scres/2001/res1373e.pdf>

⁽⁴⁾ P5_TA(2003)0462.

⁽⁵⁾ P5_TA(2003)0412.

⁽⁶⁾ OJ C 64 E, 12.3.2004, p. 599.

⁽⁷⁾ OJ C 34 E, 7.2.2002, p. 359.

⁽⁸⁾ OJ C 177 E, 25.7.2002, p. 288.

⁽⁹⁾ OJ C 180 E, 31.7.2003, p. 392.

⁽¹⁰⁾ P5_TA(2003)0291.

⁽¹¹⁾ P5_TA(2004)0168.

Thursday 22 April 2004

- B. deploring the continued unilateralism of the United States at a time when the major challenges facing the international community in such areas as environmental protection, development, the fight against poverty and collective security call for closer international cooperation and respect for multinational rules,
 - C. whereas multilateralism remains the best way to identify and meet threats and to achieve global peace and security, and whereas there is therefore a common interest in enhancing the effectiveness of multilateral institutions,
 - D. whereas the long-lasting situation in Guantanamo Bay is clearly damaging the reputation of the US and is hindering EU-US transatlantic relations, since the European Union cannot accept these legal and judicial irregularities, which undermine the most fundamental values of the rule of law,
 - E. deeply concerned at the continued existence of the death penalty in many US states,
 - F. having regard to the persistence of many trade disputes between the EU and the United States, which concern the inalienable right to food security and a healthy environment,
1. Stresses the importance of a comprehensive dialogue, including political, economic, defence and security cooperation, between two partners as a fundamental basis for the transatlantic relationship; considers that, in spite of certain fundamental differences, there are still more factors uniting Europe and the United States than there are dividing them;
 2. Underlines that a European Union adequately supported by an enhanced CFSP is a precondition for a well-balanced partnership based on complementarity, which is attainable through a better balance in the division of tasks in order to promote better regional and global burden sharing, with the ultimate aim of enhancing overall security;
 3. Expresses the view that the economic foundations for a strengthened EU-US partnership are strong but should be improved, that the defence and security foundations need to be developed, placing conflict prevention at their core, that the political foundations in certain areas of vital common interest should be strengthened, and that the institutional mechanism of the partnership should be reassessed;

Joint action on the most demanding political issues

4. Proposes to build a transatlantic 'community of action' for regional and global cooperation, addressing the following priorities:
 - (a) strengthening the United Nations by means of comprehensive reforms which make it possible for the United Nations to act more swiftly and efficiently;
 - (b) preventing future military conflicts by addressing their roots and to find durable and equitable solutions for existing crises;
 - (c) peace, security, democracy and development in the extended Middle East, in agreement with the governments and societies of the area, with the aim of contributing to a solution to the existing conflicts;
 - (d) the fight against terrorism, with full respect for human rights, international law and the prominent role of the United Nations;
 - (e) curbing the proliferation of nuclear, chemical and biological weapons of mass destruction, in the framework of the existing treaties and at multilateral, bilateral and regional level;
 - (f) fighting AIDS and infectious diseases;
 - (g) the long-term integration of China into the global community, with the encouragement of democratic reform in that country;
 - (h) the further transformation of Russia into a democratic state and a functioning market economy, which will constitute the basis for a strategic partnership;
 - (i) support for the future of the International Criminal Court;

Thursday 22 April 2004

5. Expresses its deep regret at the statement by President Bush on the occasion of the visit of the Israeli Prime Minister to Washington on 14 April 2004 on the issue of the future border between Israel and a viable Palestinian State; recalls that borders are part of the final status that must be negotiated on the basis of UN Security Council Resolutions 242 and 338, the Oslo Agreement and the Roadmap endorsed by the Quartet; remains convinced that no unilateral or one-sided initiative can replace a just and fair negotiation between both sides;
6. Takes note of the remarks made by the President of the Council of the European Union and by the EU High Representative for the CFSP on the meeting between President Bush and Prime Minister Sharon; endorses notably the EU position that recalls that any changes to the pre-1967 borders would not be recognised other than through an agreement between the respective sides;
7. Calls for an urgent meeting of the Quartet in order to reinstate the proposals of the Roadmap and reiterates that it is vital to make coherent decisions to compel those still opposed to the Peace Process in the Middle East to take decisive steps towards peace through the method described in the Roadmap, as advocated by the European Union and in the resolutions of this Parliament; calls on the Quartet to support peace initiatives on the part of civil society, e.g. the Geneva Accord;
8. Endorses the need to pursue the necessary reforms in the countries of the 'wider Middle East' jointly with progressive forces in those countries, and not to impose them from outside;
9. Stresses the need for a broader approach to the situation in the entire Middle East region, notably post-war Iraq, the ongoing Israeli-Palestinian conflict and the tensions generated by religious, cultural, social and economic factors; in this framework, it would be advisable to start a common process in which the EU, NATO, the Arab League and all other countries of the region should participate;
10. Recommends to the Summit the creation of a long-term collaborative framework and the launching of a joint Action Plan for the Fight on Terrorism, pointing out that international terrorism must be combated firmly, addressing the roots of the tremendous political, social, economic and ecological problems of today's world and enhancing the work of the judiciary, police and intelligence services, with military means being used as a last resort;
11. Underlines that such an Action Plan should combine strong determination and action against terrorism with full respect for human rights and international humanitarian standards;
12. Stresses that the need to increase efforts to fight the terrorist threat must not be pursued at the expense of protecting fundamental rights, such as privacy, and that it is therefore necessary to start negotiations on an effective transatlantic cooperation agreement for the prevention of crime and terrorism;
13. Calls once again for the Guantánamo detainees to be brought to trial and treated in accordance with international law; urges the Council to include this issue on the agenda for the forthcoming EU-US Summit;
14. Calls again upon the transatlantic partners actively to support and strengthen the international institutions and to reaffirm the value of international law, avoiding unilateral approaches and reverting to multilateralism and to the United Nations framework in order to develop global governance and to work together to define a common agenda for reform, particularly of the United Nations and the Bretton Woods institutions, in order to strengthen their effectiveness, credibility and democratic legitimacy;
15. Recommends intensifying practical cooperation on energy and climate change with regard, in particular, to the Kyoto Protocol, building on the agreement on R & D cooperation for the hydrogen economy;
16. Renews its condemnation of the application of the death penalty; calls on the US Government and all US states to abolish the death penalty;

Thursday 22 April 2004

Completing the Transatlantic Market by 2015

17. Proposes the launching of a 10-year Action Plan aimed at deepening and broadening the transatlantic market, as well as the transatlantic economy and monetary cooperation, with the goal of a barrier-free transatlantic market by 2015; asks the forthcoming EU-US Summit to set up a body of experts to elaborate specific proposals to this end;

18. Recommends, however, a 2010 accelerated target date for financial services and capital markets, aviation, the digital economy (privacy, security and intellectual property rights), competition policy and regulatory cooperation;

19. Continues to view with alarm, however, the policy of the US Administration whereby countries must cooperate with the United States on its foreign policy and national security goals in order to become eligible as trading partners, and whereby such trading partnerships are a privilege;

20. Recommends to both partners the revitalisation of the WTO Doha negotiation as a matter of urgency, while addressing at the same time the structural problems which undermine the ability of LDCs and many developing countries to reap the benefits of trade, and launching a dialogue on growth and development with all the other partners involved in the negotiations and seeking rapid, meaningful results in a joint action to fight poverty and promote economic development at multilateral level;

21. Recommends to both parties that they study possible ways of implementing the measures proposed in the recent report by the Commission on the Social Dimension of Globalisation, in order to mitigate some of the worst effects of globalisation;

22. Considers that both partners should jointly initiate proposals for the modernisation and reform of the working practices of the WTO;

EU-US security and defence matters

23. Reiterates that NATO remains a fundamental guarantee of transatlantic stability and security and an essential framework for coalition operations, and that it is in the interest of the Transatlantic Partnership and the world's stability to strengthen both NATO's and the EU's capabilities; underlines that military interventions should be mandated by the UN;

24. Reaffirms its interpretation of the ESDP as a policy to be developed to complement NATO and strengthen its European pillar, which will make a decisive contribution to the interlinking of the police and economic operators with the field of external security;

25. Reiterates that the development of a European Defence Policy marked by an autonomous response capacity intended to ensure a credible European military strike power will entail a substantial reinforcement of NATO and thus strengthen transatlantic relations;

26. Asks for more open transatlantic defence markets and for closer cooperation between transatlantic defence industries, including the transatlantic transfer of defence technologies; welcomes the recent agreement between the European Commission and the United States on the general principles of complementarity between the Galileo satellite radio navigation system, an initiative launched by the European Union and the European Space Agency, and the current US GPS system;

27. Asks for the setting up of a framework for broader, permanent EU-US security dialogue on the basis of their respective Security Strategies, including in particular open discussions on conceptual differences such as, on the one hand, preventive engagement, effective multilateralism, respect for international law and the prominent role of the UN in international security (as in the EU Security Strategy), as opposed, on the other hand, to pre-emptive unilateral military action, sole military superpower, national interest and the concept of the mission defining the coalition (as in the US National Security Strategy);

Thursday 22 April 2004

28. Urges the EU and the United States to seek to ensure the revival of negotiated arms control and disarmament at multilateral level within the UN system and at bilateral level, in order to prevent a new arms race and reduce the existing arms arsenals, and to support regional and global action to prevent the proliferation not only of weapons of mass destruction but also of small arms, light weapons and land mines by providing adequate resources; calls on the EU and the USA efficiently to implement their respective Codes of Conduct on Arms Exports and to promote the elaboration of a UN Arms Trade Treaty preventing the delivery of small arms and light weapons to regions of conflict;

29. Reiterates its call on the USA

- to stop the development of new generations of battlefield nuclear weapons (bunkerbusters),
- to ratify the Nuclear Test Ban Treaty,
- to ratify the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction,
- to abandon its resistance to the Compliance Protocol to the UN Biological and Toxic Weapons Convention;

A renewed institutional framework on the horizon for December 2005

30. Reiterates that the annual EU-US Summit should be restructured with a view to providing strategic direction and impetus for the Transatlantic Partnership, and preceded by a parliamentary dialogue meeting of Members of the EP and the US Congress in the framework of the TLD;

31. Recommends regular informal EU-US consultation at ministerial level in advance of EU-US summits, supported by permanent joint policy planning;

32. Proposes to strengthen the institutional structure for ongoing transatlantic political dialogue, building on the evolving Transatlantic Legislators' Dialogue (TLD) between Members of the European Parliament and the US Congress, with the ultimate aim of establishing an EU-US Transatlantic Assembly;

33. Considers that all the abovementioned initiatives should lead, by December 2005, to agreement between the transatlantic partners to update the 1995 New Transatlantic Agenda, replacing it with a 'Transatlantic Partnership Agreement', to be implemented from 2007;

34. Encourages the constructive involvement of relevant communities of interest from American and European civil society in collaborative actions on Transatlantic Partnership priorities;

35. Notes that an agreement on a European Constitution which confers legal personality on the European Union and provides for the appointment of a European Minister for Foreign Affairs will reinforce the EU's position on the international political scene and contribute to balanced transatlantic relations;

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36. Instructs its President to forward this resolution to the Council, the Commission, the Parliaments of the Member States and the President and Congress of the United States of America.

Thursday 22 April 2004

P5_TA(2004)0376

Human rights in 2003 and EU policy

European Parliament resolution on human rights in the world in 2003 and the European Union's policy on the matter (2003/2005(INI))

The European Parliament,

- having regard to the Universal Declaration of Human Rights and to all relevant international human rights instruments⁽¹⁾,
- having regard to the entry into force of the Rome Statute of the International Criminal Court on 1 July 2002 and to its resolutions of 19 November 1998, 18 January 2001, 28 February 2002 and 4 July 2002⁽²⁾ related to the ICC,
- having regard to the United Nations Charter, particularly Article 2,
- having regard to the entry into force on 1 July 2003 of Protocol No 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty in all circumstances,
- having regard to Article 3 of the four Geneva Conventions,
- having regard to Article 12 of the United Nations International Covenant on Economic, Social and Cultural Rights,
- having regard to the UN declarations and resolutions on the rights of disabled persons and the Unesco Universal Declaration on the Human Genome and Human Rights (1997),
- having regard to Articles 12(1) and 16(1)(e) of the Convention on the Elimination of All Forms of Discrimination Against Women, as well as to General Recommendations 21 and 24 of the Committee on the Elimination of Discrimination Against Women,
- having regard to the Declaration and Action Programme of the Fourth World Conference on Women adopted in Beijing on 15 September 1995, and to the Outcome Document of the Fourth World Conference on Women +5 Conference adopted on 10 June 2000,
- having regard to the Millennium Development Goals adopted at the Millennium Summit of the United Nations on 8 September 2000 and the Declaration adopted by the United Nations World Summit on Sustainable Development on 4 September 2002,
- having regard to the 2002 report of the UN Population Fund on the state of world population,
- having regard to the report of the Council of Europe on the impact of the Mexico City Policy⁽³⁾ and the Commission's proposal for a Regulation on aid for policies and actions on reproductive and sexual health and rights in developing countries (COM(2002) 120),
- having regard to its resolution of 1 November 2001 on HIV/AIDS⁽⁴⁾,
- having regard to its resolution of 20 September 2001 on female genital mutilation⁽⁵⁾,
- having regard to the Charter of Fundamental Rights of the European Union⁽⁶⁾,

⁽¹⁾ NB: for all relevant basic texts, please consult the table annexed to report A5-0270/2004 of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

⁽²⁾ OJ C 379, 7.12.1998, p. 265; OJ C 262, 18.9.2001, p. 262; OJ C 293 E, 28.11.2002, p. 88; OJ C 271 E, 12.11.2003, p. 576.

⁽³⁾ CoE document 9901, 11.9.2003.

⁽⁴⁾ OJ C 78, 2.4.2002, p. 66.

⁽⁵⁾ OJ C 77 E, 28.3.2002, p. 126.

⁽⁶⁾ OJ C 364, 18.12.2000, p. 1.

Thursday 22 April 2004

- having regard to its resolution of 3 September 2003 on the Commission communication 'Towards a United Nations legally binding instrument to promote and protect the rights and dignity of persons with disabilities' ⁽¹⁾,
 - having regard to Articles 3, 6, 11, 13 and 19 of the Treaty on European Union and Articles 177 and 300 of the Treaty establishing the European Community,
 - having regard to the entry into force on 1 April 2003 of the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 ⁽²⁾,
 - having regard to the Euro-Mediterranean Assembly, which was established on 22/23 March 2004, and to its related resolution of 20 November 2003 ⁽³⁾,
 - having regard to the European Convention for Human Rights and Biomedicine (1999),
 - having regard to its resolution of 13 December 1996 on the rights of disabled people ⁽⁴⁾, its resolution of 9 March 2004 on population and development ⁽⁵⁾, and its previous resolutions on human rights in the world ⁽⁶⁾,
 - having regard to its previous resolutions on the situation of fundamental rights in the European Union, in particular its resolution of 15 January 2003 ⁽⁷⁾,
 - having regard to its resolution of 23 October 2003 on peace and dignity in the Middle East ⁽⁸⁾,
 - having regard to its resolution of 10 February 2004 on the 60th Session of the United Nations Commission on Human Rights in Geneva, 15 March to 23 April 2004 ⁽⁹⁾,
 - having regard to the fifth EU Annual Report on Human Rights (13449/03),
 - having regard to Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0270/2004),
- A. whereas progress has been made worldwide in particular through the European Union's commitment to establishing and strengthening democracy, human rights, the rule of law and good governance,
- B. whereas at the same time the situation has worsened in a large number of countries, where human rights continue to be violated as a result of discrimination on the basis of race, gender, religion and social class, and of bad governance, corruption, repression, abuse of power, weak institutions, lack of accountability and armed conflict,
- C. whereas on paper there is an impressive degree of endorsement of human rights values by the international community, with over 140 countries having ratified the two major covenants and almost all states having ratified the Convention on the Rights of the Child,
- D. whereas a steadily growing number of countries has abolished the death penalty or has established or extended moratoria on executions, but in some countries there appears to be a reverse trend, in particular in China,

⁽¹⁾ P5_TA(2003)0370.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

⁽³⁾ P5_TA(2003)0518.

⁽⁴⁾ OJ C 20, 20.1.1997, p. 389.

⁽⁵⁾ P5_TA-PROV(2004)0154.

⁽⁶⁾ P5_TA(2003)0375 adopted 4.9.2003; OJ C 131 E, 5.06.2003, p. 138; OJ C 65 E, 14.3.2002, p. 336; OJ C 377, 29.12.2000, p. 336; OJ C 98, 9.4.1999, p. 270; OJ C 20, 20.1.1997, p. 161; OJ C 126, 22.5.1995, p. 15; OJ C 115, 26.4.1993, p. 214; OJ C 267, 14.10.1991, p. 165; OJ C 47, 27.2.1989, p. 61; OJ C 99, 13.4.1987, p. 157; OJ C 343, 31.12.1985, p. 29; OJ C 172, 2.7.1984, p. 36; OJ C 161, 10.6.1983, p. 58.

⁽⁷⁾ OJ C 38 E, 12.2.2004, p. 247.

⁽⁸⁾ P5_TA(2003)0462.

⁽⁹⁾ P5_TA(2004) 0079.

Thursday 22 April 2004

- E. whereas the role of the international community in assisting the truth and reconciliation process in post-conflict societies is recognised as a means of fostering reconciliation, peace, stability and development,
- F. whereas in countries which respect and uphold human rights, pressure groups and a free press help ensure that the democratic state functions well; whereas they must not be subject to censorship or restricted freedom of expression,
- G. stressing that in recent years control and repression of Internet use has increased dramatically in the People's Republic of China and dozens of people have been arrested for distributing messages calling for greater freedom and democracy, or for simply having distributed information via the Internet; whereas the number of arrests in such cases increased by 60 % compared to the previous year,
- H. whereas the same phenomenon is occurring systematically in Vietnam, where several democracy activists have been arrested in recent months,
- I. convinced that all acts of terrorism deny the very concept of human rights,
- J. whereas the European Union supports and actively cooperates with the work of the Ad Hoc Committee of the 6th Committee of the UNGA in its work towards the preparation of a Draft Comprehensive Convention on International Terrorism and the preparation of a Draft International Convention for the Suppression of Acts of Nuclear Terrorism,
- K. whereas a state that has suffered acts of terrorism may collaborate with other states in a spirit of reciprocity, but with due respect for human rights and international law,
- L. whereas extradition should be refused if there are serious reasons to believe that the person to be extradited would be subject, in the country applying for extradition, to treatment that does not comply with international law,
- M. whereas in some cases a military procedure with no appeal or monitoring is imposed on alleged terrorists except those with the nationality of the country accusing them,
- N. whereas democratic countries must set an example when they want to pursue the perpetrators of such acts or bring them to justice, by granting them all the rights and safeguards that a country that respects human rights must provide for any accused person,
- O. whereas certain countries have created and/or put in place extra-territorial areas which are not subject to any concept of basic law or monitoring, contrary to all the international conventions and treaties,
- P. whereas the fight against terrorism constitutes a special situation that allows for restrictions on, and even outright suspension of, individual freedoms, particularly in countries with dictatorial regimes; stressing that all these countries have used the fight against terrorism as a pretext for stepping up repression against subjugated populations or any form of political dissidence,
- Q. subscribing to the principle that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition; fully supporting the WHO principles; concerned in particular about the situation as regards the right to access to health, as this right is closely linked to the economic, social and political situation of every individual country,
- R. recognising that access to reproductive health is a fundamental human right and that women and men should therefore be guaranteed the freedom to make their own informed and responsible choice in regard to their sexual and reproductive health and rights, while being conscious of the importance of their decisions for other individuals as well as for society,
- S. whereas studies have proved that there is a direct link between access to information and high standards in all aspects of health, including lower levels of HIV/AIDS and other transmitted infections, the risk of unwanted pregnancies and correlated abortions, the risk of still-births and maternal and infant deaths,

Thursday 22 April 2004

- T. condemning the practice of female genital mutilation still used in many countries which has already produced more than 130 million victims worldwide, and poses a threat to some two million young girls or women each year; welcoming, in this connection, the Maputo Protocol adopted by the African Union in July 2003,
- U. whereas reproductive health is a major concern for the social and economic well-being of a nation, and deficiencies in access to reproductive health have direct effects on the economic and social fabric of the country concerned,
- V. concerned at the deliberate withholding of information in a large number of countries, which are the most affected by low standards of reproductive health,
- W. shocked by the lack of willingness shown by developed countries to ensure the necessary funding to meet the basic standards outlined in the Action Programme of the UN Conference on Population and Development adopted in Cairo on 13 September 1994 and even more concerned by the sharp decrease in the funds available since the entry into force of the Mexico City Policy, diminishing US funding to any NGO which is not following a strict abstinence promotion policy,
- X. whereas access to information on, and the promotion through social marketing of condoms can for the moment be considered as the most effective preventive measure against all forms of sexually transmitted diseases,
- Y. whereas the denial of access to treatment for HIV/AIDS through a lack of available funds, in particular access to anti-retroviral drug combinations, which are proving successful at stabilising but not curing HIV/AIDS, is causing a major security threat both regionally and worldwide, including in Eastern Europe and Central Asia where there is a sharp and deplorable increase in sexually transmitted diseases and in sexual violence;
- Z. concerned by the sharp decrease in the funds available since the entry into force of the Mexico City Policy,
- AA. whereas 2003 was the European Year of the Disabled,
- AB. whereas the UN estimates that more than half a billion people in the world are disabled through mental, physical or sensory impairment,
- AC. noting that in many countries unacceptable barriers are still too often raised against the inclusion of disabled people, thus preventing them from fully enjoying a social, professional, family, emotional and sexual life,
- AD. stressing that the specific needs of disabled people apply unreservedly to disabled people who are accused or suspected of crimes and/or are or could be imprisoned or held on remand,
- AE. whereas the international community must take into account the problem represented each year by the hundreds of thousands of people who, as a result of wars and conflicts, are disabled or physically or mentally handicapped;
1. Expresses its satisfaction that the fifth parliamentary term has seen a number of major innovations in relation to EU policy on human rights, including the creation or further development of important instruments, that correspond largely to its own initiatives;
2. Notes that it has contributed considerably to strengthening the human rights dimension and in putting human rights issues on the European agenda;

Thursday 22 April 2004

3. Considers that terrorism is one of the most serious common challenges facing the international community; condemns all acts of terrorism as criminal and unjustifiable, irrespective of their motivation, forms and manifestations; underlines that the fight against terrorism has to remain a matter of the highest priority for the EU;

4. Manifests its commitment to continuing to act in support of respect for human rights and promotion of democracy worldwide, and to pursuing in particular its initiatives in favour of the abolition of the death penalty and torture, the fight against impunity, the elimination of racism, xenophobia and discrimination, the protection of women's rights and children's rights (including child soldiers and child labour); the protection and accompaniment of human rights defenders; the protection of social and workers' rights, the protection of refugees (including internally displaced people), the defence of the interests of indigenous populations and of minorities, such as mountain-dwellers in Vietnam, the victims of systematic repression, freedom of the press and other means of expression, non-discrimination of homosexuality, freedom of religion and conviction and all other rights;

5. Reiterates its view that strengthened efforts are needed to find a coordinated approach in order to mainstream human rights in its external relations activities, to link the activities of its future subcommittee on human rights, its main committees responsible and its interparliamentary delegations and to ensure a consistent follow-up to Parliament's resolutions by the Commission, the Council and the third countries concerned; reiterates its call for Parliament's financial and human resources dedicated to human rights activities to be considerably increased;

6. Underlines the need to pursue its efforts in order to make major progress in dialogue with the Council on EU human rights policy and calls on the Council to agree upon a structure which allows systematic and timely reaction to EP resolutions; recalls, in this context, its proposals made on the basis of the Council's conclusions of December 2002;

7. Strongly supports the Council's intention to achieve a more effective and visible EU human rights and democratisation policy through increased coherence and consistency between Community action and the CFSP, mainstreaming, greater openness and regular identification and the review of priority action;

8. Insists that concerns on human rights situations be discussed more openly and regularly at Association/Cooperation Councils and at EU summits with third countries and that the respective conclusions should fully reflect this discussion point;

9. Welcomes the recent release of political prisoners in Syria, but insists that all political prisoners should be set free, at the latest before the signing of the EU-Syria Association Agreement, as this would significantly facilitate Parliament's assent;

10. Welcomes the fact that the Council's annual operational programme for 2003 was the first to be jointly drawn up by the Greek and Italian Presidencies; considers, however, that the major political priorities and actions in external relations outlined in the work programmes of the Commission and the Council would need a more explicit human rights perspective;

11. Welcomes the fact that, at the invitation of the EU Presidency, Members of the European Parliament participated in the third round of the EU-Iran Human Rights Dialogue on 8/9 October 2003 and considers that Members of the European Parliament should be involved in the same way in future human rights dialogues with third countries; invites the Presidency to transmit its in-depth evaluation of the China dialogue as soon as possible and to prepare a similar evaluation of the Iran dialogue;

12. Deplores the fact that the third Round Table of the EU-Iran Human Rights Dialogue had a very abstract academic character and considers that at coming Round Tables the debate must have a stronger political dimension and contain real dialogues;

Thursday 22 April 2004

13. Welcomes the establishment in 2003 of a Subgroup on Governance and Human Rights under the Cooperation Agreement with Bangladesh and calls on the Council and the Commission to create similar Subgroups where appropriate for the other Cooperation Agreements;

14. Welcomes the efforts undertaken to engage in a similar exercise with other third countries and looks forward to the start of the work with Vietnam and Morocco;

15. Is strongly convinced that human rights dialogues should not be a justification for the marginalisation of human rights vis-à-vis security, economic or political priorities; recalls its demand on the Council to formulate concrete objectives and benchmarks for human rights dialogues and to ensure that the results are regularly evaluated;

16. Reiterates its demand for more openness and transparency on the part of the EU institutions and on the part of the Council in particular; maintains its criticism that the calls made in its resolutions for the Council to report back on the outcome of specific human rights issues, in particular as these come up in international organisations, are systematically disregarded; insists that Parliament should be given a full explanation whenever its human rights recommendations are not followed by Council or Commission;

17. Takes note of the fact that the structure of the EU Annual Report on Human Rights 2003 has been improved, but regrets that the report still does not focus particular attention on individual cases and their follow-up, including those raised in Parliament's resolutions, nor contain any response to proposals adopted in its own Annual Report on Human Rights in the World;

18. Calls on the Council, in this connection, to step up dialogue with civil society and, in future, to involve the relevant NGOs more closely in its initiatives and in the drawing up of its Report on Human Rights and the shaping of the annual Human Rights Forum;

19. Welcomes the creation of the Commission's website on human rights which includes analyses, reports and research done on key issues and which allows even better information to NGOs and civil society as a whole;

20. Recognises the progress made in paying outstanding commitments and in speeding up the pace of payments' execution in the EIDHR budget implementation within the general 60 days' time scale and the implementation plan for each budget heading as well as the Council's guidelines ensuring complementarity and consistency of EU external policy measures between the Community and Member States;

21. Decides to create a proper format for its Annual Reports on Human Rights in the World, which adequately evaluates the human rights policy of the Council, Commission and European Parliament in the period under consideration, and provides a systematic follow-up to proposals and statements included in the preceding Annual Report on Human Rights of the European Parliament; considers that the rapporteur can further choose special themes of particular relevance for the report;

22. Considers that the European Parliament Annual Report should be produced at a fixed time every year, and include an analysis and evaluation of the Annual Report of the Council of the same year;

23. Decides to retain closer contacts with former winners of the Sakharov Prize to enable the prize to play a role in safeguarding and helping to ensure respect for human rights in the countries concerned; stresses, in particular, the need to continue and increase support for former Sakharov Prize winners who are still suffering from repression in their country, in particular Leyla Zana, Aung San Suu Kyi and Oswaldo Payá Sardiñas; with regard to the last of these, recalls the support given to the 'Sakharov Initiative' conducted within the European Parliament and calls on the Cuban authorities to refrain from placing any further obstacles in the way of Oswaldo Payá Sardiñas travelling to the European Union to meet with its institutions;

Thursday 22 April 2004

24. Underlines the fact that serious human rights crises persist in a large number of countries, often in a context of violent conflict, with the international community failing to have any decisive influence; notes that the EU's existing potential has not been used in such a way as to effectively confront some of the world's worst violators; regrets that in such situations human rights have never constituted a bottom line in the EU's external policies; is convinced that respect for human rights will not result from solemn declarations which are not supported by effective actions for their implementation;

25. Is convinced that the new European security strategy provides an important conceptual framework in relation to armed conflict and conflict resolution and insists that a proper human rights dimension has to be developed, based on a concept of prevention;

26. Welcomes the London Declaration on Colombia (10 July 2003) and reaffirms the requirement that all parties in the Colombia conflict are required to comply without qualification with all recommendations of the office of the UN High Commissioner for Human Rights in Colombia;

27. Calls on the Council to ensure that responsibility on human rights issues is made a part of crisis management and of long-term engagement in post-conflict resolution;

28. Fully supports the Guidelines adopted by the Council on 8 December 2003 on Children and Armed Conflict and looks forward to the Commission's review of Community assistance in this area as a first contribution to the implementation of the Guidelines;

29. Regrets, in particular, that Parliament's demands for a serious and non-selective application of human rights clauses appear to have had no visible effect on the human rights policies of the Council, the EU Member States and the Commission;

30. Stresses, in addition, that on several occasions EU human rights policies have been undermined by the non-respect of EU arms embargoes, efforts to lift arms embargoes prematurely and by Member States not maintaining systematically a strict application of the EU Code of Conduct on Arms Exports; emphasises that firm political action against the proliferation of all types of weapons, both conventional and WMD, both heavy arms and light weapons, is essential to the success of any EU campaign on human rights;

31. Regrets that the Euro-Mediterranean Association Agreements lack clearly defined procedures for implementation of the human rights clause;

32. Insists on the necessity for a mid-term review of Article 2 of all Association Agreements in order to evaluate whether respect for human rights, particularly women's rights and democratic principles, is fully implemented, and calls for specific mechanisms to enable human rights clauses to be applied more effectively and efficiently;

33. Calls on the Commission to report back to Parliament on the state of preparation of an implementation mechanism for the human rights clause in order to maintain explicit pressure for significant improvements of the human rights situation in the countries concerned and to encourage sections of society that are in favour of promoting democracy and respect for human rights;

34. Reiterates its call on the Council, the Commission and Member States to enforce effectively all EU political instruments, including the sanctions policies, in furtherance of human rights and to ensure that actions are not taken which deliberately undermine such policies;

35. Reiterates its call for periodic review of sanctions policies in order to assess and enhance their effectiveness;

36. Considers that meetings with parliamentarians and civil society from third countries having signed the human rights clause contribute to Parliament's monitoring of the concrete implementation of the clause, but is of the opinion that this effectiveness could be enhanced;

Thursday 22 April 2004

37. Welcomes the Commission's communication on 'Reinvigorating EU actions on human rights and democratisation with Mediterranean partners – Strategic Guidelines' (COM(2003) 294), which is aimed at finding a structured approach in order to regularly assess compliance by States with their human rights obligations; supports, in particular, in line with its own proposals, a systematic discussion of human rights issues in the Association Council's meetings and welcomes the fact that the idea of establishing working groups on human rights with partner countries is gaining ground; appreciates, in particular, the 10 concrete recommendations to upgrade knowledge and expertise, improve the dialogue between the EU and its Mediterranean partners as well as to enhance cooperation on human rights issues, including through the development of MEDA National Action Plans on human rights and democracy with those partners willing to engage in such an exercise;

38. Calls on the Commission to define a coherent EU strategy on human rights, which includes all relevant elements such as the human rights clause, dialogue, financial assistance and the reinforcement of international standards, and which is elaborated in the same way as the existing strategies for the Mediterranean partners, as well as other countries and regions;

39. Welcomes the entry into force of the new ACP-EU partnership agreement (Cotonou) on 1 April 2003; considers that the human rights clause in the agreement has a clear implementation mechanism providing for procedures to make its application binding, suspension as a last resort and the establishment of dialogue between government and civil society, which merits being negotiated for further agreements with third countries;

40. Stresses nevertheless that strengthening or resuming EU economic, financial and technical assistance to the developing countries, particularly the ACP countries, can only be envisaged if the authorities of the countries concerned give a parallel undertaking to remedy any continuing human rights abuses in a verifiable and lasting manner and demonstrate their commitment to good governance, democracy and the rule of law through joining in concrete action against persistent human rights violators such as the Mugabe regime in Zimbabwe;

41. In the framework of implementation of the 'Wider Europe' policy, supports the Commission in its commitment to ensure that human rights and democratisation issues are fully taken into account in the political chapter of 'Wider Europe Action Plans', to be negotiated with the Union's eastern and southern neighbours;

42. Calls on all states, in the spirit of the UN Millennium Declaration, to put their commitment to uphold respect for human rights and fundamental freedoms into practice and to dedicate themselves to the full and effective implementation of international human rights treaties to which they are parties; this means that whenever domestic laws (e.g. Sharia laws) are contrary to the Universal Declaration of Human Rights and international treaties, these laws must be amended and brought into line with the commitments that have been given;

43. Welcomes the UN Human Rights Sub-Commission guidelines on multinational enterprise (18 August 2003), as an important stepping stone towards a binding global code of conduct;

44. Reiterates its call on all states that have not done so to establish a moratorium on executions, as a first step towards the universal abolition of the death penalty, which no state should reject; calls upon the EU to start a dialogue on invoking the human rights clause against those countries which continue to execute non-adult and disabled individuals;

45. Regrets the deaths of UN staff in Iraq, symbolic of human rights defenders worldwide; insist that firm policies should be developed to support all those who campaign for the respect of human rights; welcomes therefore the initiative of the Irish Presidency to produce guidelines on the protection of human rights defenders;

46. Expresses grave concern at the continuation of the Israeli-Palestinian conflict, which has led to a seemingly endless spiral of hatred and violence and to increased suffering for both Israelis and Palestinians;

Thursday 22 April 2004

47. Shares the deep concern expressed by the Council at the continuation of illegal settlements and expropriation of land for the construction of the so-called 'security fence', which leads to the violation of a number of basic human rights such as freedom of movement, and the right to family life, to work, to health, to an adequate standard of living, including adequate food, clothing and housing, and to education; the prohibition on discrimination contained in many international conventions is clearly violated in the closed zone in which Palestinians, but not Israelis, are required to have permits;

48. Takes note of the fact that the situation in each of the Central Asian countries is different; reiterates its concern with regard to human rights violations and cases of political repression, particularly in Turkmenistan where the human rights situation has deteriorated dramatically recently and in Uzbekistan where there are continuing serious concerns;

49. Welcomes the determined EU campaign against all forms of torture and degrading behaviour; regrets that by December 2003 only six EU Member States had signed (and ratified) the Optional Protocol to the Convention Against Torture as adopted by the UN in 2002; insists that the human rights clause must be invoked against all economic and political partners of the EU which allow their judiciary and police services to continue torture practices against their citizens; reiterates its concern that the Commission undertakes the financing of torture prevention projects at the cost of projects for the rehabilitation of torture victims; urges that a ban be introduced on the production, sale and exportation of torture equipment;

50. Reiterates its demand on the EU, and the Commission in particular, to fully support the cause of indigenous populations, in particular to provide all aid possible to the UN Permanent Forum on Indigenous Peoples and the UN Working Group on Indigenous Populations;

51. Recalls its priorities for the 60th Session of the UNCHR as spelled out in its abovementioned resolution of 10 February 2004;

52. Reaffirms the importance of the United Nations Commission on Human Rights as the world's highest body for human rights protection to ensure public scrutiny of situations of gross and persistent abuse;

53. Insists that, for the EU's global human rights policies to be effective, there cannot be 'double standards' in which human rights violations within the enlarged EU are not addressed properly and exemplarily;

54. Welcomes the EU's support for the establishment of the International Criminal Court (ICC) but reiterates that the EU and its current and future Member States should stand more firm and united against pressure from states which do not wish to adhere to the Court and who want to reduce the ICC's scope and efficiency;

55. Underlines that no immunity, as recognised under Article 41, paragraph 2, of the Vienna Convention of 18 April 1961 on Diplomatic Relations, should ever afford the possibility of impunity for any individual accused of war crimes, crimes against humanity or genocide, and is concerned about the fact that some regions of the world are still severely under-represented within the group of countries that have signed and ratified the Rome ICC Statute;

56. Urges the Council and the Commission to use the EU's political leverage under Cooperation Agreements in order to promote the signature and the ratification of the Rome ICC Statute by as many countries as possible;

57. Expresses its regret that an ad hoc International Criminal Court has not yet been established by the UN Security Council, as this would be the most expedient way of dealing with the case of the detainees held in Guantánamo;

58. Asks the US authorities to put an end immediately to the current legal limbo in which the detainees held in Guantánamo Bay have, since their arrival, been placed and to guarantee immediate access to justice in order to determine the status of each individual detainee on a case-by-case basis, either by charging them under the rules laid down in the Third and Fourth Geneva Conventions and the International Covenant on Civil and Political Rights (particularly Articles 9 and 14 thereof) or by releasing them instantly, and to ensure that those charged with war crimes receive a fair trial in accordance with international humanitarian law and in full compliance with international human rights instruments;

Thursday 22 April 2004

59. Welcomes the projects undertaken by the Commission to promote freedom of expression under the EIDHR, and calls on the Commission to extend such projects specifically to the promotion of freedom of conscience and religion;

60. Reiterates its call on the Council and the Commission to make the early identification of the abuse of religions for political purposes a priority of EU human rights policy, and calls for reinforced EU efforts to seek to prevent violent religious extremism which threatens human rights;

61. Calls again on the Council, Commission and Member States to make religious freedom a priority for action in the European Union's relations with third countries where appropriate, and requests that penalties be laid down for violation of this freedom;

62. Recalls the decision of the Valencia Euro-Mediterranean Ministerial Conference to set up a EuroMed Foundation, providing a structure for intercultural and interreligious dialogue with and between the countries and societies on the Mediterranean's southern shore, and urges all governments involved to provide sufficient funding in order to make the establishment of the Foundation possible by the announced date of 1 July 2004;

63. Calls on the Commission to enhance the dialogue with non-governmental organisations, including with religious and non-religious organisations, in order to promote peaceful coexistence between different religious and cultural communities; considers that such dialogue should, to start with, take place in the framework of the implementation of the abovementioned Commission Communication;

64. Reiterates that access to modern communications technologies and language courses can facilitate inter-cultural exchanges, tolerance and understanding for other cultures and religions within and outside the European Union, and welcomes in this respect the many initiatives undertaken by the Commission such as the Euromed Youth programme, the Asialink and the eSchola Programmes, and looks forward to receiving annual evaluations of these programmes;

65. Insists that there should be no diminution of support by the Commission and Council for mine action and stresses the importance of assistance to countries and NGOs engaged in activities to clear anti-personnel landmines and other unexploded ordnance, as well as assistance to mine victims; urges the Commission to publish regular progress reports to clarify how far the Member States of the enlarged EU adhere to their obligations under the Ottawa Treaty (a global ban on anti-personnel landmines) and to what extent these states follow Parliament's expressed wish that cluster submunitions no longer be used;

66. Underlines that the fight against terrorism has to take place in the framework of international law; calls on the Council and the Member States to work actively in the preparation of the Draft International Convention for the Suppression of Acts of Nuclear Terrorism and the Comprehensive Convention on International Terrorism, which should include an internationally recognised status for victims of terrorist acts, as a means of further developing a comprehensive legal framework of conventions dealing with terrorism and to inform Parliament regularly about important developments in this area;

67. Acknowledges that the legal or regulatory policy concerning reproductive health falls within the Member States' sphere of competence, but considers that on an international level the EU is obliged to do its utmost to meet the Millennium Development Goals and to ensure that obligations are fulfilled in the framework of the UN Charter, UN Conventions and many other agreements covering the issue;

68. Calls on the Commission to pay particular attention to assisting not only developing countries, but also countries in Eastern Europe, Latin America and Asia, which are not covered by the Cotonou Agreement, and to provide financial and technical support as well as training for personnel;

69. Welcomes the action taken by ECHO in the field of humanitarian aid, which often has a component of reproductive health, and urges it to pay even greater attention to the dramatic situation caused by the lack of access to all aspects of reproductive health in emergency situations and in refugee camps;

Thursday 22 April 2004

70. Insists that the Council and the Member States have to address even more firmly the magnitude of HIV/AIDS, which represents a major threat to global security, with three million people dying yearly despite the possibility of treatment; underlines that the fight against HIV/AIDS must include effective public health programmes involving education, prevention, treatment, care and support;

71. Calls on the Commission to step up its funding of educational programmes devoted to reproductive health, focusing on the fight against sexual violence and female genital cutting or mutilation, and educating people on responsible sexual behaviour and the use of modern family planning methods, as well as available HIV/AIDS preventive methods;

72. Calls on the Council to act upon its stated intention to step up funding for the Global Fund, specifically for programmes in the field of reproductive health as well as funding of NGOs under all assistance programmes (TACIS, PHARE, MEDA, CARDS, etc.) via not only health projects, but also projects dedicated to drug problems and general educational and awareness-raising projects;

73. Asks the Commission, in particular, to step up its reproductive health programmes in the TACIS area as the situation is increasingly worrying and the countries concerned do not have the means to meet educational and supply needs, which results in a sharp increase of HIV/AIDS transmission (1,2 million people living with HIV/AIDS in Eastern Europe/Central Asia), an extremely high rate of abortions (3,6 abortions per lifetime per woman), poor-quality contraceptive methods and a high infant mortality rate (up to 74 per 1 000 compared to 5 per 1 000 in France);

74. Calls on the Member States to meet their obligations under the Global Fund to fight AIDS, Tuberculosis and Malaria as one of the most effective means in the fight against AIDS and other contagious, poverty-related diseases;

75. Calls on the Commission and the Council to take all appropriate measures as soon as possible, including the necessary legislative measures, to fulfil their commitment to act upon the decision of the General Council of the World Trade Organisation on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health;

76. Welcomes the report on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health presented to the 60th Session of the Commission on Human Rights, and the report on the sale of children, child prostitution and child pornography and other aspects related to the issue;

77. Calls on the Commission to make up for the loss of funds due to the Mexico City Policy, and to the US policy advocating exclusively abstinence promotion programmes, in particular to step in for the funds withheld from UNFPA and the funds cancelled for NGO programmes;

78. Urges all Member States and applicant countries to respect the human right to privacy and the right to travel freely, and to fully respect the ruling of the European Court of Human Rights in this area; is outraged at recent attempts by applicant countries to disregard this ruling;

79. Calls on the Commission and Council to make ratification of the Maputo Protocol one of their priorities in relations with third countries affected by the phenomenon of female genital mutilation;

80. Regrets that people arrested in Egypt on grounds of their sexual orientation are all too often denied certain aspects of their fundamental human rights, including the right to a fair trial;

81. Following persistent arrests and harassment of homosexual men in Egypt and the entrapment of homosexuals by security services over the internet, expresses deep concern about the denial of fundamental rights, including the right to free association, the right to privacy and the right to a fair trial;

Thursday 22 April 2004

82. Welcomes the statement of the Council in the EU Annual Report on Human Rights 2003 on the situation of disabled people and the steps taken in the international arena towards advancement of persons with disabilities; however, considers that although some progress has been made, persons with disabilities are still unable to fully enjoy human rights on an equal basis;

83. Notes with regret that in some states there are numerous obstacles, unacceptable restrictions and/or limits to access to training and/or education for disabled children, adolescents or students, in so-called normal as well as special schools, disregarding the human right to education and training;

84. Considers that accessibility and use of public space and the built environment, both public and private, is a fundamental right and an essential guarantee of disabled people's freedom of movement, equal opportunities, and freedom from discrimination and thus of respect for human rights;

85. Stresses that disabled people exercising their right to mobility must not suffer any form of direct or indirect discrimination, whether deliberate or not, or financial discrimination, and regrets that public transport (buses, coaches, taxis, underground trains, trams, and transport by rail, air, river and sea) are still hard for disabled people (and their guide dogs) to access and use;

86. Deplores the human rights abuse experienced by many disabled people in the world, notably disabled persons living in institutions subject to degrading treatment, violence and abuse, as well as exploitation of disabled persons by organised begging and cases of forced sterilisation, and calls on the Commission to draw up a specific report on the subject of human rights abuse of disabled people;

87. Condemns the continued use of caged beds for some mentally ill patients in a small number of Accession countries and calls on the Commission to encourage and support a swift end to this inhuman and degrading method of restraint;

88. Welcomes the programmes set up to provide proper medical assistance for at least some of the Chechen children terribly affected by the war in their country and calls on all Member States and the EU itself to help strengthen humanitarian programmes of this kind so as to cater for the enormous needs of the Chechen population in this respect;

89. Asks the Commission to include in the horizontal EIDHR programme measures to increase awareness of the human rights of disabled people among various social and political actors and decision-makers in the partner countries, as is happening in the area of cultural dialogue, and to include in the various countries' strategic programmes objectives concerning the accessibility for disabled people of health care, education and public buildings in that country;

90. Supports the assistance provided by ECHO and disability NGOs in emergencies; stresses that psychiatric problems caused by conflicts must be diagnosed and treated, particularly in children;

91. Asks the Commission to record the various ways of caring for and treating disabled people in the countries with which it has Cooperation Agreements and to identify and reinforce good practice, while remaining aware of the particular circumstances of each country;

92. Insists that the unacceptable differences between rich and poor countries in the options available for treating post-infection and post-trauma disabilities must be reduced as a priority through appropriate programmes;

93. Calls on the Member States and the Council to continue their support for an International Convention to ensure the full enjoyment of human rights by persons with disabilities, to actively support its resolution of 3 September 2003 and to ensure that the UN Convention includes effective monitoring and implementation mechanisms at both national and international level, also guaranteeing the active participation of representative disability organisations throughout the process;

Thursday 22 April 2004

94. Reiterates its call on the Commission and the Council to strongly support initiatives to promote and enhance the fight against caste discrimination in all relevant United Nations fora; calls on the Commission and the Council to ensure that the issue of caste discrimination and policies to combat this wide-spread form of racism is properly addressed in all country strategy papers, mid-term reviews of these and communications on countries affected by it;

95. Deplores that no action has been taken by the Commission and the Council to enhance the political and human rights dialogue with caste afflicted countries on the issue of the continued dehumanising practice of caste discrimination, and that the effectiveness of EU human rights policy in terms of addressing caste discrimination still remains to be assessed;

96. Instructs its President to forward this resolution to the Council, Commission, the governments and parliaments of the Member States and the accession countries, the United Nations, the Council of Europe, the OSCE and the governments of the countries mentioned in this resolution and the offices of the main human rights NGOs based in the EU.

P5_TA(2004)0377

Trial against Leyla Zana and others in Ankara

European Parliament resolution on the outcome of the trial against Leyla Zana and others in Ankara

The European Parliament,

- having regard to its previous resolutions on human rights in Turkey,
 - having regard, in particular, to its resolution of 1 April 2004 on Turkey's progress towards accession ⁽¹⁾,
 - having regard to Rule 37(4) of its Rules of Procedure,
- A. whereas in 1994 Mrs Leyla Zana, Mr Hatip Dicle, Mr Orhan Dogan and Mr Selim Sadak, MPs representing the DEP, were sentenced to 15 years' imprisonment for their political activities in support of the fundamental rights of the Kurdish people,
- B. whereas Mrs Leyla Zana was awarded Parliament's 1995 Sakharov Prize,
- C. whereas, in its judgment of 17 July 2001, the European Court of Human Rights (ECHR) in Strasbourg noted the lack of independence and impartiality of the State Security Court in Ankara, breaches of the rights of the defence and the presence in court of military judges, a judgment which prompted the Turkish authorities to hold a new trial against Leyla Zana and others,
- D. whereas Turkey has enacted new legislation which provides for the re-opening of trials declared 'unfair' by the ECHR in Strasbourg, and whereas a new trial against Leyla Zana and others opened on 28 March 2003,
1. Condemns the decision by the State Security Court in Ankara to confirm the 1994 sentence of 15 years' imprisonment imposed on Leyla Zana, Hatip Dicle, Orhan Dogan and Selim Sadak, a further breach of the guidelines laid down by the ECHR in Strasbourg;
 2. Takes the view that this new sentence stands in clear contradiction to the judicial reform process started by the Turkish Government, the implementation of which Parliament will follow very closely, also in the period leading up to December 2004;

⁽¹⁾ P5_TA(2004)0274.

Thursday 22 April 2004

3. Deplores the exploitation of the 'Zana trial' by those who wish to impede the reform process in Turkey;
4. Stresses that this case is symbolic of the gap which exists between the Turkish judicial system and that of the European Union;
5. Condemns the breaches of the rights of defence which have occurred during the new trial against Leyla Zana and others, such as the presence of the State Prosecutor in all the rooms where the judges were required to take decisions concerning the accused, the failure to acknowledge the right of the accused to be released in accordance with the ECHR judgment of 17 July 2001, and the inability of the defence to check the veracity of the accusations made by the State Prosecutor;
6. Calls for the immediate abolition of the State Security Courts, and calls on the Turkish parliamentary and governmental authorities to take practical steps to deal with this issue;
7. Hopes that the Turkish final Court of Appeal will quash the sentence imposed on Mrs Zana and the three other former Turkish MPs of Kurdish origin;
8. Calls on the Turkish authorities to grant an amnesty to all those imprisoned for their political views;
9. Instructs its President to forward this resolution to the Council, the Commission and the Turkish Government and Parliament.

P5_TA(2004)0378

Broad guidelines of economic policy

European Parliament resolution on the Commission recommendation on the 2004 update of the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) (COM(2004) 238 – C5-0183/2004–2004/2020(INI))

The European Parliament,

- having regard to the Commission recommendation (COM(2004) 238 – C5-0183/2004),
- having regard to Article 99(2) of the EC Treaty,
- having regard to the Commission report on the implementation of the 2003-2005 Broad Economic Policy Guidelines (COM(2003) 170),
- having regard to its resolutions 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⁽¹⁾ and 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⁾ and to its resolution of the 23 October 2003 on the outcome of the European Council meeting held in Brussels on 16/17 October 2003⁽³⁾,
- having regard to the Commission's Spring Economic Forecasts 2004-2005 for the euro area, the European Union and the Acceding and Candidate countries,
- having regard to the Commission report to the Spring European Council (COM(2004) 29),
- having regard to its resolution on the situation of the European economy, report on the broad guidelines for economic policies of 26 February 2004⁽⁴⁾,
- having regard to its resolution on the Spring Summit: follow-up to Lisbon of 26 February 2004⁽⁵⁾,

⁽¹⁾ OJ C 61 E, 10.3.2004, p. 294.

⁽²⁾ OJ C 67 E, 17.3.2004, p. 295.

⁽³⁾ P5_TA(2003)0459.

⁽⁴⁾ P5_TA(2004)0116.

⁽⁵⁾ P5_TA(2004)0114.

Thursday 22 April 2004

- having regard to the Presidency conclusions of the Lisbon European Council of 23 and 24 March 2000, the Gothenburg European Council of 15 and 16 June 2001 and the Barcelona European Council of 15 and 16 March 2003,
 - having regard to the Presidency Conclusions of the Brussels European Councils of 20 and 21 March 2003, of 16 and 17 October 2003 and of 25 and 26 March 2004,
 - having regard to the Communication from the Commission 'A European Initiative for Growth, Investing in Networks and Knowledge for Growth and Jobs, Final Report to the European Council (COM(2003) 690)',
 - having regard to the opinion of the European Economic and Social Committee on the Assessment of the experiences gathered by the EESC to evaluate the economic, social and employment impact of structural reforms in the EU (ECO/109, CESE 1406/2003),
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0280/2004),
- A. whereas growth in world trade has experienced a strong rebound of 5 % in 2003 and is expected to accelerate to almost 8 % in 2004-2005, whereas world GDP growth is estimated to have been at 3,7 % in 2003 and world economic activity should expand at 4,5 % in 2004,
- B. whereas regional distribution of world growth widened in 2003, with stronger-than-expected contributions coming from the USA, the CIS, OPEC, Asia and the acceding countries; whereas the recovery in the US is expected to continue with growth at 4,2 % in 2004, whereas the economic outlook for Asia (excluding Japan) remains in the vicinity of 7 % in 2004-2005 with striking growth rates in India and China, and Latin America is expected to double its growth rate in 2004,
- C. whereas the world-wide growth rebound is still fragile, especially in the USA, where the present monetary and fiscal policy may well prove not to be sustainable over a long period, and may result in a difficult and painful phase of fiscal consolidation,
- D. whereas the European Union is experiencing the most protracted period of weak growth since the second world war, with three years of economic slowdown and stagnation or even recession in some larger Member States, whereas, by contrast with the average growth rate of the world of 3,7 % of GDP, the European Union's growth rate has been just 0,8 % and the Euro area growth rate only 0,4 % of GDP in 2003,
- E. whereas the Commission forecasts three years in a row a rebound to average growth rates of 1,7 % to 1,8 % for the Euro area and 2 % for the EU; whereas for the Euro area, the recent rebound is mainly driven by a surge in the growth of exports, while domestic demand has so far been negative due to low private consumption and three quarters of a downward trend in investment that was only broken in the fourth quarter when investment finally picked up;
- F. whereas the new Member States have expanded on average at 3,5 % of GDP in 2003 as accession unleashed favourable growth dynamics;
1. Approves the Commission's position that the Broad Economic Policy Guidelines 2003-2005 remain valid but must be more focused on structural reforms, investment and more and better jobs, welcomes the European Action for Growth and calls for additional measures complementing the initiative at national level, in particular in the fields of human resources, R & D and innovation;
 2. Repeats its conviction that application of the Stability and Growth Pact is needed to bring Europe's economy more swiftly back into balance; urges those Member States whose budget is not in surplus or is at least in balance to undertake all necessary steps to achieve these aims;

Thursday 22 April 2004

3. Welcomes the focus in this update on the integration of the ten new Member States into the economic policy co-ordination framework and the completion of the existing strategy with the inclusion of country-specific recommendations for the ten new Member States;

4. Points out that the current EU budget spending of 0.8 % of GDP may be exceeded, insisting that there is room to spend as much as 1,24 % of GDP 2004-2006 and still keep within the present financial perspective 2000-2006 and the Lisbon objectives, and retain full promotion of the European Structural Funds with all Lisbon objectives during the second phase of the programme period 2000-2006;

5. Calls on the Council to take account of the following modifications:

COMMISSION RECOMMENDATION

MODIFICATIONS BY PARLIAMENT

Modification 1

Part I, Chapter 1, Title

1. The existing strategy remains valid.

1. The existing strategy remains valid, **BUT MUST BE MORE FOCUSED ON STRUCTURAL REFORMS, INVESTMENT AND MORE AND BETTER JOBS.**

Modification 2

Part I, Chapter 1, paragraph 2

Against the background of the results of a first assessment of the follow-up given to the 2003-2005 BEPGs as presented in the Implementation Report and the guidance from the Spring 2004 European Council, this recommendation updates and completes the existing strategy. **No major policy adjustments are deemed necessary that would warrant a change in the general guidelines.** The focus in this update is on the integration of the ten new Member States into the existing economic policy coordination framework.

Against the background of the results of a first assessment of the follow-up given to the 2003-2005 BEPGs as presented in the Implementation Report and the guidance from the Spring 2004 European Council, this recommendation updates and completes the existing strategy. **The general guidelines 2003-2005 remain valid but must be focused even more on boosting economic growth resulting in job creation and productivity growth. In view of the prolonged phase of economic slowdown and the disappointing growth rates and speed of recovery as compared to other regions in the world, Europe must strengthen internal economic growth and increase the focus on strengthening economic, social and environmental sustainability. This will not only help to reduce Europe's vulnerability to the negative impacts of the appreciation of the Euro and other external shocks and risks such as international terrorism but also facilitate the integration of the internal market and the real economic convergence of all Members States, including the 10 new Member States in the internal market.** The second focus in this update is on the integration of the ten new Member States into the existing economic policy coordination framework.

Modification 3

Part I, Chapter 2, Title

2. IMPROVED ECONOMIC BACKGROUND.

2. IMPROVED ECONOMIC BACKGROUND **SLOWLY LEADING TO A RECOVERY IN THE EUROPEAN UNION**

Modification 4

Part I, Chapter 2, Paragraph 4

Overall, economic developments are in line with the prevailing expectations when adopting the medium-term economic policy strategy: the economy is recovering, albeit at a moderate pace,

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Thursday 22 April 2004

COMMISSION RECOMMENDATION

MODIFICATIONS BY PARLIAMENT

and the outlook for 2004-2005 does not point to any macro-economic imbalances requiring a policy change. At the same time, the forecast illustrates the still slow adjustment capacity of the EU economy and the low level of potential growth. It is therefore essential that the improving economic conditions should be fully seized upon to make decisive progress in closing the 'delivery gap' in terms of discrepancy between envisaged and eventually adopted structural reform measures. The current pick-up in economic activity could be further underpinned by sound macroeconomic policies and by determined implementation of all the growth-enhancing economic reforms outlined at the 2003-2005 BEPGs.

and the outlook for 2004-2005 does not point to any macro-economic imbalances requiring a policy change. At the same time, the forecast illustrates the still slow adjustment capacity of the EU economy and the low level of potential growth. It is therefore essential that the improving economic conditions should be fully seized upon to make decisive progress in closing the 'delivery gap' in terms of discrepancy between envisaged and eventually adopted structural reform measures. The current pick-up in economic activity could be further underpinned by sound macroeconomic policies and by determined implementation of all the growth-enhancing economic reforms outlined at the 2003-2005 BEPGs. **More emphasis should however be put on investment in education, skills, lifelong learning, innovation, research and development, and in an industrial policy with a special focus on SMEs, renewable energy and environmentally friendly technology.**

The Environmental Technology Action Plan should be speedily implemented.

Furthermore, with the enlargement, social and regional cohesion are now even more central to the Lisbon Agenda. Strategies that have a decisive impact on real economic convergence, the reduction of the informal sector, social exclusion and the eradication of poverty must be reinforced.

Investments aimed at enhancing growth could also be financed by an improvement in the collection of public revenues, focusing on the widespread problem of tax fraud, which deprives Member States of considerable fiscal resources. The Commission should work with Member States to establish a co-operation and benchmarking system to combat tax fraud and unfair tax competition;

Negotiations on appropriate and equitable measures leading to an increase in the adaptability of workers, flexibility in standard contracts and more security in non-standard contracts, attracting more people to and keeping more people in employment, increasing the overall flexibility of the labour market and increasing investments in human resources are keys to achieving economic and social success.

Modification 5

Part I, Chapter 3, Section 3.1, paragraph 2

The new Member States will need to seek a strong synergy between the necessary structural reforms and macroeconomic policies that underpin stability. Exchange rate regimes constitute an important part of the overall economic- and monetary policy framework and should be oriented towards achieving

The new Member States will need to seek a strong synergy between the necessary structural reforms, **investment** and macroeconomic policies that underpin stability **and growth**. Exchange rate regimes constitute an important part of the overall economic and monetary policy framework and should

Thursday 22 April 2004

COMMISSION RECOMMENDATION

MODIFICATIONS BY PARLIAMENT

real- and sustainable nominal convergence. Participation in ERM II, at some stage after accession, should help those endeavours. A credible monetary policy will allow for a further *decline in* long-term interest rates *that* is conducive to both the much needed high level of investment and fiscal consolidation.

be oriented towards achieving *real* and sustainable nominal convergence. Participation in ERM II, at some stage after accession, should help those endeavours. A credible monetary policy will allow for a further *lowering of* long-term interest rates conducive to both the much needed high level of investment and fiscal consolidation.

Modification 6

Part I, Chapter 3, Section 3.3, paragraph 3

Overall, sound economic policies make an important contribution to social sustainability as jobs play a vital role in lifting people out of poverty and social exclusion. **In** the new Member States, additional emphasis **must be put** on modernising social protection systems and improving the skills of the work force, with a view to increasing participation rates and improving mobility. The low employment rates of both young and older workers require special attention in this respect. Pronounced regional disparities need to be addressed, notably by ensuring efficient **investments** and **an** appropriate wage differentiation (reflecting differences in productivity). In addition, the business environment has to be improved, particularly by capacity building measures in public administration. This should also enhance **the** efficiency in the use of EU Structural and Cohesion funds.

Overall, sound economic policies make an important contribution to social sustainability as jobs play a vital role in lifting people out of poverty and social exclusion. **Like the present Member States**, the new Member States **must put** additional emphasis on modernising social protection systems and improving the skills of the work force, with a view to increasing participation rates and improving mobility. The low employment rates of both young and older workers require special attention in this respect. Pronounced regional disparities need to be addressed, notably by ensuring efficient **investment** and appropriate wage differentiation (reflecting differences in productivity). In addition, the business environment has to be improved, particularly by capacity building measures in public administration **and measures in support of lifelong learning**. This should also enhance efficiency in the use of EU Structural and Cohesion funds.

Modification 7

Part I, Chapter 3, Section 3.3, Paragraph 4

The substantial investments in energy and transport infrastructure that are needed in most of the new Member States aim at reducing the environmental impacts of energy **and transport use** and improving energy efficiency. Such investments will be crucial as their energy intensities exceed those of current Member States by a factor of almost 4, see Table 3, in spite of improvements of as much as 6 % per year over the last decade. In particular, it will be essential to take full account of the costs of environmental damage in investment decisions, including by reducing energy subsidies and introducing appropriate taxes and charges, for example for energy consumption and/or transport use.

The substantial investments in energy and transport infrastructure that are needed in most of the new Member States **must be focussed on** reducing the environmental impacts of **transport**, energy use and **production as well as** improving energy efficiency. Such investments will be crucial as energy intensities exceed those of current Member States by a factor of almost 4, see Table 3, in spite of improvements of as much as 6 % per year over the last decade. In particular, it will be essential to take full account of the costs of environmental damage in investment decisions, including by reducing energy subsidies **for non-renewable forms of energy** and introducing appropriate taxes and charges **for such energy resources**, for example for energy consumption and/or transport use. **Current Member States must dramatically increase their efforts to fulfil the 'Kyoto commitments' of reducing greenhouse gas emissions by 8 % by 2010.**

6. Instructs its President to forward this resolution to the Council and Commission, and the governments and parliaments of the Member States.

Thursday 22 April 2004

P5_TA(2004)0379

Cuba

European Parliament resolution on Cuba

The European Parliament,

- having regard to its earlier resolutions on the situation in Cuba, and in particular its resolution of 4 September 2003 ⁽¹⁾,
 - having regard to the resolutions adopted by the ACP-EU Joint Parliamentary Assembly,
 - having regard to the declaration of 26 March 2003 by the Presidency on behalf of the European Union on the arrests of opposition figures and dissidents in Cuba,
 - having regard to Common Position 96/697/CFSP ⁽²⁾ on Cuba, adopted on 2 December 1996, defined by the Council pursuant to Article J.2 of the Treaty on European Union and regularly renewed,
 - having regard to the provisions of the ACP-EU Association Agreement (the Cotonou Agreement) ⁽³⁾,
 - having regard to Rule 50(5) of its Rules of Procedure,
- A. whereas the defence of the universality and indivisibility of human rights, including civil, political, economic, social and cultural rights, remains one of the principal objectives of the European Union,
- B. having regard to the arrest over a year ago of 75 dissidents belonging to the democratic opposition to the Castro regime, mostly linked to the Varela Project,
- C. whereas in June 2003 the EU decided to step up political pressure on Havana following these arrests,
- D. whereas the above citizens were, after summary trials, sentenced to harsh prison terms of between 14 and 27 years,
- E. whereas they are being held in inhuman conditions, hundreds of kilometres from their homes, with restrictions on visits and inadequate hygiene and medical care; whereas the case of the seriously ill Oscar Espinosa Chepe gives especial cause for concern,
- F. whereas the exercise of freedom of expression is a fundamental human right,
- G. recalling its appeal to the Council and Commission to keep a close watch on the situation of political prisoners in Cuban jails,
- H. regretting the fact that Mr Oswaldo Payá Sardiñas, who was awarded the Sakharov Prize by the European Parliament in 2002, was recently denied the permits which would have allowed him to leave Cuba and accept an invitation from this Parliament,
- I. having regard to the 'Sakharov Initiative', which was signed by 206 MEPs even prior to the invitation to Mr Oswaldo Payá Sardiñas to visit Europe issued by the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the Conference of Presidents, and which was welcomed by the Presidency of the European Parliament, the Commission and the Council,
- J. having regard to the present situation concerning respect for human rights in Cuba,

⁽¹⁾ P5_TA(2003)0374.

⁽²⁾ OJ L 322, 12.12.1996, p. 1.

⁽³⁾ OJ L 317, 15.12.2000, p. 3.

Thursday 22 April 2004

1. Reiterates its condemnation of these arrests, which constitute a breach of the most elementary human rights, especially as regards freedom of expression and political association;
 2. Calls once more on the Cuban authorities to release all political prisoners immediately, and calls on the Council and Commission to continue to take all necessary initiatives to demand their release;
 3. Welcomes the release on health grounds of Julio Antonio Valdés;
 4. Calls on the Cuban authorities to make significant changes with a view to moving towards full respect for fundamental freedoms and, in particular, freedom of expression and political association;
 5. Expects the Cuban authorities to resume the de facto moratorium on the death penalty;
 6. Calls for maximum respect for the constitutional process of collection of signatures undertaken by the Varela Project under Article 88 of the present Cuban constitution, which authorises citizens to submit a legislative initiative subject to the collection of at least 10 000 signatures;
 7. Stresses once more the continuing full validity of the EU's commitment and willingness as regards aid for the Cuban people;
 8. Recalls that the objectives of the EU's external policy are based on the promotion of respect for human rights and fundamental freedoms, encouragement of processes of transition to pluralist democracy and support for sustainable economic development aimed at improving the living standards of the people;
 9. Calls on all the Community institutions to endorse the 'open invitation' to Mr Oswaldo Payá Sardiñas, the 2002 Sakharov Prize winner, as recently embodied in the 'Sakharov Initiative' with the support of the Presidency of Parliament, and calls on the Cuban authorities not to put further obstacles in the way of his visiting Europe;
 10. Calls on the Member States to exert unequivocal pressure on the Cuban authorities to promote the defence of democracy and respect for human rights, and to receive Mr Oswaldo Payá Sardiñas at the highest level when he visits Europe;
 11. Welcomes the adoption on 15 April 2004 of the resolution of the UN Commission on Human Rights condemning last year's harsh sentences against dissidents;
 12. Calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the Delegation for relations with the countries of Central America and Mexico to take up the issue of human rights in Cuba with all due firmness and to monitor developments particularly closely as from their first meetings after the June 2004 elections to the European Parliament;
 13. Instructs its President to forward this resolution to the Council and Commission, to the Government and the National Assembly of People's Power of the Republic of Cuba, and to the European Parliament Sakharov Prize laureate Mr Oswaldo Payá Sardiñas.
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P5_TA(2004)0380

Sport products for the Olympic games

European Parliament resolution on respect for core labour standards in the production of sports goods for the Olympic Games

The European Parliament,

- having regard to the ILO Declaration on Fundamental Principles and Rights at Work, adopted by the International Labour Conference at its 86th session on 18 June 1998,
- having regard to the ILO Declaration of Principles concerning Multinational Enterprises and Social Policy,

Thursday 22 April 2004

- having regard to the EU Guidelines on Multinational Enterprises,
 - having regard to the OECD Guidelines for Multinational enterprises,
 - having regard to the UN Norms on the Responsibilities of Transnational Corporations and other Business Enterprises with regard to Human Rights,
 - having regard to the Commission communication to the Council, the European Parliament and the Economic and Social Committee entitled 'Promoting core labour standards and improving social governance in the context of globalisation' (COM(2001) 416),
 - having regard to the Green Paper on promoting corporate social responsibility and the Commission communication (COM(2001) 366) and to its own resolution thereon of 30 May 2002⁽¹⁾,
 - having regard to the Fundamental Principles of the Olympic Charter, which state that Olympism seeks to create a way of life based on the joy found in effort, the educational value of good example and respect for universal fundamental ethical principles,
 - having regard to Rule 50(5) of its Rules of Procedure,
- A. whereas evidence shows that the production of sportswear and athletic footwear is organised through an elaborate international system of subcontractors and suppliers,
- B. whereas the failure to respect ILO labour rights perpetuates poverty, hampers development by driving wages down and denying education and is a violation of human dignity,
- C. whereas many sportswear companies have pledged voluntary ethical codes of conduct, but such ethical commitment has not yet been integrated generally with all their core business practices and sourcing strategies for their global supply chains,
- D. whereas some leading sportswear companies and socially responsible investment firms have stated that the current ruthless business and labour practices in the global supply chain are unsustainable and do not allow fair competition,
- E. whereas there is growing consumer concern about certain abusive employment and working conditions which are prevalent in the global supply chain of some sportswear brands,
1. Calls on sportswear companies to adopt sourcing policies that call for suppliers and their subcontractors to respect internationally recognised labour standards, including all the human rights standards identified by the ILO as constituting fundamental rights at work, plus the right to a living wage based on a regular working week, humane working hours with no forced overtime and a safe and healthy workplace free from harassment;
2. Calls on the Commission, in the run-up to the Olympics, to ask the key players of the world sportswear and athletic footwear industry — sportswear brands, the World Federation of the Sporting Goods Industry, and the IOC — to start negotiations aiming at a sectoral solution fully complying with ILO labour standards;
3. Urges the ILO to develop a credible and independent inspection system in order to monitor the ILO labour standards in the sporting goods industry world-wide and based on the above inspection system;
4. Calls on sportswear companies to take immediate steps to ensure specifically that the right of workers to form and join trade unions is respected throughout their respective supply chains;

⁽¹⁾ OJ C 187 E, 7.8.2003, p. 180.

Thursday 22 April 2004

5. Calls on suppliers and manufacturers of sportswear and athletic footwear to adopt labour practices that provide working conditions which comply with international labour standards and national labour legislation;
 6. Calls on the Commission to work with the ILO to ensure that the IOC includes respect for internationally accepted labour rights in its Fundamental Principles, the Olympic Charter, and its Code of Ethics, and to insist that the IOC require, as a contractual condition in its licensing, sponsorship and marketing agreements, that labour practices and working conditions involved in the production of IOC-branded products comply with internationally recognised labour standards, including all the human rights standards identified by the ILO as constituting fundamental rights;
 7. Urges the World Federation of the Sporting Goods Industry to commit itself to stating publicly that the sportswear and athletic footwear industries need to come forward with concrete and identifiable measures for a sectoral solution aiming at full compliance with ILO labour standards;
 8. Considers that more funds should be made available to the ILO's International Programme;
 9. Considers that respect for fundamental rights at work requires not only that the ILO be involved, but also that strategies to promote core labour standards find a place within the WTO;
 10. Stresses also the importance of increased consumer awareness and the development of social and fair-trade labelling in creating incentives for multinational enterprises to improve working conditions;
 11. Instructs its President to forward this resolution to the Council, the governments of the old and new Member States, the Commission, the International Olympic Committee, the World Federation of the Sporting Goods Industry and the International Labour Organisation.
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P5_TA(2004)0381**Nigeria****European Parliament resolution on Nigeria***The European Parliament,*

- having regard to its previous resolutions on the situation in Nigeria,
 - having regard to the international human rights conventions ratified by Nigeria,
 - having regard to Rule 50(5) of its Rules of Procedure,
- A. having regard to the too frequent confrontations between communities in Nigeria, which have led to thousands of deaths in recent years,
 - B. whereas these confrontations are sometimes of a religious character,
 - C. whereas the recent eruption of religious violence in the Nigerian state of Plateau, resulting in the death of some 1 500 Christians, the displacement of up to 50 000 persons and the destruction of 173 churches, is one of the worst in the ongoing violence against Christian communities in several Nigerian states in recent years,
 - D. whereas a large number of mercenaries are allegedly being recruited from Niger and Chad by Islamic extremists in the Plateau State to attack Christian towns and villages,

Thursday 22 April 2004

- E. having regard to the violent actions of Islamic fundamentalist militants, particularly in these northern states, and whereas a battalion of 500 soldiers, supported by tanks, was required to subdue the uprising by the Islamic sect known as 'Followers of the Prophet', which had taken control of police stations and schools in Kano State,
 - F. whereas, since 1999, 12 northern states with a Muslim majority have introduced strict Islamic Sharia law, followed by increased tension between Muslims and Christians and resulting in ethnic and religious violence, including the killing of over 10 000 people,
 - G. whereas the Nigerian Constitution adopted in 1999 guarantees total freedom of belief,
 - H. whereas a religious law can only be applied to those who accept it, and whereas the European Parliament has repeatedly condemned the power of local courts under Sharia law to sentence women to lapidation (stoning to death),
 - I. whereas the Nigerian region of Kano is one of the last remaining reservoirs of the wild polio virus,
1. Condemns all forms of religious intolerance and violence and most recently the widespread killing of Christians and the destruction of churches in the Nigerian state of Plateau;
 2. Calls on the Nigerian Government to take immediate and effective measures to protect its citizens, put an end to the violence, actively implement the promotion of and respect for human rights and in particular freedom of religion, and promote a dialogue leading to lasting peace and security in all states;
 3. Calls on the European Union to start immediately a political dialogue with the Nigerian Government to promote tolerance and peace between the communities, including the religious authorities, and security of the person, accompanied by respect for human rights, including respect for religious beliefs;
 4. Regrets the suspension of polio vaccinations by the Kano authorities, after unfounded rumours spread by some Islamic preachers about the vaccine, thus seriously threatening the progress of polio eradication in Africa;
 5. Instructs its President to forward this resolution to the Commission, the ACP-EU Council, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Nigerian Government.

P5_TA(2004)0382

Women in South-East Europe

European Parliament resolution on women in South-East Europe (2003/2128(INI))

The European Parliament,

- having regard to Articles 6 and 49 of the Treaty on European Union,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the UN General Assembly in 1979,
- having regard to the work of the Vienna Conference on Human Rights (1993), which affirmed human rights and condemned the violation of these rights in the name of culture or tradition,

Thursday 22 April 2004

- having regard to the Brussels Declaration on Preventing and Combating Trafficking in Human Beings adopted on 20 September 2002,
- having regard to the Conclusions of the EU European Council in Thessaloniki of 19 and 20 June 2003 and the Joint Declaration of the EU-Western Balkans Summit of 21 June 2003,
- having regard to the Commission 2003 regular reports on progress towards accession by Bulgaria, Romania and Turkey,
- having regard to its resolution of 7 November 2002 on the report from the Commission: The Stabilisation and Association Process for South-East Europe: First Annual Report ⁽¹⁾,
- having regard to the report from the Commission: The Stabilisation and Association Process for South-East Europe — Second annual report (COM(2003) 139),
- having regard to its resolution of 20 November 2003 on that report ⁽²⁾,
- having regard to the activities and the progress report of the Gender Task Force operational under the Stability Pact for South-East Europe (May 2003),
- having regard to the study: Women's Situation in the Balkan Countries: comparative perspective, undertaken by Ms Marina Blagojević on behalf of the European Parliament (Belgrade, February 2003),
- having regard to Rule 163 of its Rules of Procedure,
- having regard to the report by the Committee on Women's Rights and Equal Opportunities (A5-0182/2004),

General

1. Considers it essential for the countries of South-East Europe to ensure the incorporation of gender mainstreaming into their stabilisation, democratisation and negotiation strategies in all areas of economic, political and social life, as well as the adoption of measures to combat discrimination against women in all fields within the public and private domains;
2. Stresses the importance of legal provisions for gender equality and of ensuring conditions and mechanisms for their implementation (institutional, financial, human resources and knowledge base for gender policy);
3. In view of the importance of respecting human rights and minorities in this vulnerable region of the Balkans, calls on the countries of the region and potential applicants for membership of the EU to sign and ratify the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms and the 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
4. Notes with concern that many NGOs and international organisations report a significant increase in trafficking in human beings in South-East Europe and stresses the need to fully implement the commitments given by the Ministers of the Interior and Ministers of Justice of the countries of South-East Europe meeting in Sofia in December 2003 for the 4th Regional Ministerial Forum of the Stability Pact Task Force on Trafficking in Human Beings, whereby they undertook to work together in establishing and implementing special mechanisms and measures to protect victims of trafficking;
5. Notes with anxiety that domestic violence and abusive talk which demeans women in the media remain matters of particular concern in all the countries of South-East Europe, and that different national reports show that the countries in the region are still at an early stage in the organisation of their struggle against various forms of violence against women (ranging from verbal to physical violence) and discrimination based on sex;

⁽¹⁾ OJ C 16 E, 22.1.2004, p. 98.

⁽²⁾ P5_TA(2003)0523.

Thursday 22 April 2004

6. Stresses that reproductive and sexual rights are seriously threatened, while the health of women, especially those in minority groups and rural communities, has been seriously jeopardised by stressful conditions due to wars and difficult transitions, the 'economy of survival', which relies on intensive use of women's human resources, increasing violence against women and the fact that the health system in many countries in the region has collapsed; draws attention to the generally bad situation of health-care institutions and infrastructures, with decreasing public investment in health care systems;
7. Is satisfied that women's life expectancy has improved significantly, but deplores the fact that Turkey, Bulgaria and Romania continue to spend the smallest proportion (between 2,9 % and 5 %) of their budgets on expenditure in the area of health care;
8. As with the participation of the applicant countries in the development of the pre-accession strategy, calls on the Commission to encourage the participation of the countries of South-East Europe in Community programmes to promote equality between women and men and in particular the Community action programmes on:
 - (a) gender equality (2001-2005),
 - (b) combating discrimination (2001-2006) and
 - (c) preventive measures to fight violence against children, young persons and women (Daphne);
9. Notes with concern that in most of the countries in South-East Europe women's participation in political life is currently below 20 %, which, in comparison with other regions of Europe, represents the highest level of exclusion of women from political decision-making positions; calls on governments and political parties to adopt specific measures (campaigns, quotas, laws etc.) to achieve a gender balance in democratic institutions;
10. Notes with concern that the economic decline of the region has a greater negative impact on women than on men and that the feminisation of poverty is growing rapidly; stresses the fact that poverty and unemployment, combined with a strong patriarchal tradition, are the root causes of the high levels of prostitution and trafficking in women, as well as violence against women;
11. Stresses that women's human resources, which are relatively plentiful due to the widespread education of women, are under-utilised for the economic, social and cultural development of the region because of discriminatory practices and prejudices;
12. Invites the governments of South-East Europe, in the light of increasing religious fundamentalism and the re-patriarchalisation of societies, to guarantee fundamental freedoms and respect for human rights, freedom of thought and freedom of conscience and religion, and to ensure that tradition does not erode personal autonomy or violate women's rights and the principle of gender equality;
13. Calls on the countries of South-East Europe to ensure by all appropriate means that educational materials, the media and advertising do not promote the model of a patriarchal society that offends women's rights but, on the contrary, help to promote a positive image of women, based on respect for their dignity and the principle of equality between women and men;
14. Taking into account the highly important role played by women in the prevention and resolution of conflicts, in maintaining respect for differences, in building peace and in building bridges in citizen awareness in order to create a climate of reconciliation, respect for differences, the peaceful coexistence of different races and a common vision, calls on the countries of the region to mainstream a gender perspective into negotiations for conflict prevention and resolution, peacekeeping operations, rehabilitation and reconstruction efforts;
15. Calls for support for regional women's networks and cooperation with similar EU networks;

Thursday 22 April 2004

16. Notes with concern the lack of statistical information and research-based knowledge necessary for policy making, monitoring and proper evaluation of the situation of women in all the countries concerned; suggests the establishment of permanent contacts, through the Commission's delegations, with the relevant local, national and international institutions and NGOs working in the region in order to collect all available and useful data on issues relating to gender and the situation of women;

17. Acknowledges and supports the work of women's NGOs and of the Gender Task Force operating under the Stabilisation Agreement for South-East Europe, especially in the field of combating trafficking in human beings and increasing the participation of women in political and economic decision-making;

Albania

18. Deplores the fact that Albania has long been identified as a source and transit country for trafficking in women and children through well-organised criminal networks boosted by a high level of corruption; calls on the government of Albania to address more vigorously the issues of corruption and the sexual exploitation of women and children;

19. Stresses that no reliable data exist on the issue of domestic violence and sexual harassment of women in Albania, which is attributable in part to a lack of awareness that violence against women is an abuse of their rights; calls on the government of Albania to collect and comprehensively analyse relevant data;

20. Notes with anxiety the revival of customary law in Northern Albania and the consequent deterioration of conditions for girls and young women;

Bulgaria

21. Welcomes the establishment of the Consultative Commission on Equal Opportunities for women and men and the Commission on Prevention of Discrimination under the new anti-discrimination Act, but recalls that Bulgaria is the only accession country with no implementation mechanisms in the field of gender equality, these being conditions sine qua non for the proper transposition of the EU 'acquis';

22. Points out that Bulgaria has the lowest level of employment by comparison with the other accession countries (46,1 % for women and 55 % for men); calls on its government to adopt policies and measures to eliminate income differences between men and women and increase women's participation in the labour market, as well as in decision-making and governance;

Bosnia and Herzegovina

23. Deplores the fact that trafficking in, and the sexual exploitation of, women and children is increasing, especially since the arrival of peace-keeping forces in the country; calls on the country to negotiate and conclude as soon as possible the necessary agreements with Europol for practical and effective co-operation between police authorities;

24. Regrets the increasing tolerance of violence against women, which is also due to the prevalence of negative patriarchal traditions and practices; welcomes the efforts made to adopt a law which will punish domestic violence;

25. Calls on the Commission to develop specific actions and projects to combat trafficking in, and violence against, women, and to insist on involving local women's organisations and initiatives;

Croatia

26. Notes with concern that national courts are still slow and inefficient in prosecuting all forms of violence against women, and calls on Croatia's government to remedy this judicial inefficiency and to duly prosecute crimes of violence against women;

Thursday 22 April 2004

27. Calls on Croatia to raise awareness amongst law enforcement agencies of the existence of criminal gangs trafficking in drugs and human beings, given that the level of such awareness remains very low despite the fact that, according to recent experience, Croatia is an important transit and destination country;

Greece

28. Notes with concern that the representation of women in elected bodies, government, trade unions and political parties remains low and that its poor record in this regard places Greece last among the 25 Member States of the enlarged Europe; urges the Greek government, the political parties and related authorities to increase their efforts to ensure a gender balance in the political and economic decision-making process;

FYROM

29. Notes that, in practice, there are no adequate mechanisms for full implementation of legal provisions on gender equality; that, whilst the existing legislation is not in itself discriminatory, it does not address the problem of discrimination in a way which would ensure direct and effective protection of women; observes that this is due to gender-determined stereotyping, which is deeply rooted in the traditional differentiation between the roles of the sexes;

30. Deplores the fact that sexual abuse of girls within the family is not perceived as a problem in FYROM even though the centres for social work indicate a widespread occurrence of this type of violence;

31. Stresses that the legislation of FYROM has no provisions on the crime of trafficking in women, which seriously hampers the effective prosecution of this phenomenon; calls on its government to draw up legislation and standards in this field;

Romania

32. Notes with concern that Romania remains seriously afflicted by trafficking in human beings as a country of origin, transit and destination despite the 2001 Law for Combating Trafficking; notes the lack of sufficient resources within the judicial system and calls on the authorities to conduct, in co-operation with the Commission and NGOs, more information campaigns focused on prevention and on potential victims of trafficking;

33. Regrets that many ethnically motivated crimes against Roma women still take place in Romania; demands that the Romanian authorities adopt all necessary measures to prevent these crimes and urges the Commission to insist on this in the negotiations for EU membership;

34. Regrets that women remain under-represented in political life but over-represented in terms of unemployment and poverty, especially among minorities such as the Roma and persons over the age of 45; calls on the Romanian government to make use of the financial possibilities the EU offers to reduce the number of unemployed women and to promote female employment;

35. Points out that a number of specific problems remain to be tackled by the government, such as the lack of knowledge about, and the unavailability of, contraceptives, high levels of domestic violence against women, the plight of women from minorities and forced marriages of underage girls; calls on the Romanian government to take the measures necessary to speed up the process of complying with the body of existing European law;

Serbia and Montenegro

36. Condemns the collapse of the trial against the Montenegro deputy state prosecutor and three other men for their involvement in sex slavery after the Prosecutor's Office halted criminal proceedings despite the existence of detailed evidence and the testimony of the victim;

37. Demands that the government of Serbia and Montenegro comply with the minimum standards for the elimination of the sex trade and adopt measures against widespread corruption;

Thursday 22 April 2004

38. Demands explanations for the apparent increase in trafficking in women since the arrival in Kosovo of troops of the KFOR and the involvement of international police in trafficking; requests that the individuals involved be duly prosecuted and convicted;

Turkey

39. Notes with concern that domestic violence and other forms of violence against women are still widespread; urges Turkey to provide full legal protection, judicial assistance and economic aid to victims, as well as shelters and similar facilities that, at present, are virtually non-existent; calls on the Commission to continue closely to monitor developments in this field;

40. Calls on Turkey to adopt gender equality as part of the sixth reform package of the Penal Code — Article 51 of the general provisions — relating to crimes committed under extreme provocation, applicable for offences traditionally viewed as being against virtue; calls for the discontinuation of the practice of reducing sentences in cases of 'honour crimes' on grounds of customs and tradition (Article 462), taking the view that such crimes should be considered as first-degree murder, and for the deletion of the term 'virginity' from the provisions of the Penal Code relating to the crime of rape;

41. Considers forced marriages — still performed in Turkey — as a violation of fundamental rights and a form of violence against women; calls upon Turkey to strive to stop this widespread practice;

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42. Instructs its President to forward this resolution to the Council and the Commission, the governments and the Parliaments of the Member State concerned, the candidate countries and the SAP countries, and the Special Co-ordinator for the Stability Pact.

P5_TA(2004)0383

Review of Ottawa Treaty on anti-personnel mines

European Parliament resolution on anti-personnel mines

The European Parliament,

- having regard to its resolutions of 17 December 1992 on the injuries and loss of life caused by mines⁽¹⁾, of 29 June 1995 on landmines and blinding laser weapons⁽²⁾ and on anti-personnel landmines: a murderous impediment to development⁽³⁾, of 18 December 1997 on the 1997 Convention on the prohibition and destruction of anti-personnel mines⁽⁴⁾, of 25 October 2000 on anti-personnel landmines⁽⁵⁾, of 6 September 2001 on measures to promote a commitment by non-State actors to a total ban on anti-personnel landmines⁽⁶⁾, and of 13 February 2003 on the harmful effects of unexploded ordnance (landmines and cluster submunitions) and depleted uranium ammunition⁽⁷⁾,

⁽¹⁾ OJ C 21, 25.1.1993, p. 161.

⁽²⁾ OJ C 183, 17.7.1995, p. 44.

⁽³⁾ OJ C 183, 17.7.1995, p. 47.

⁽⁴⁾ OJ C 14, 19.1.1998, p. 201.

⁽⁵⁾ OJ C 197, 12.7.2001, p. 193.

⁽⁶⁾ OJ C 72 E, 21.3.2002, p. 352.

⁽⁷⁾ OJ C 43 E, 19.2.2004, p. 361.

Thursday 22 April 2004

- having regard to paragraph 40 of its resolution of 4 December 2003 on the Council and Commission statements on the preparation of the European Council in Brussels on 12-13 December 2003 ⁽¹⁾, in which it 'calls on the Council to ask the present and future Member States to accede to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction as soon as possible, in order to allow the European Union to play a full and active part in the First Review Conference on the Convention in 2004 in support of its universalisation, consolidation and full implementation',
 - having regard to the Communication from the Commission to the European Parliament and the Council on action against anti-personnel landmines: reinforcing the contribution of the European Union, and to the proposal for a European Parliament and Council Regulation concerning action against anti-personnel landmines (COM(2000) 111),
 - having regard to the 1997 Convention on the prohibition and destruction of anti-personnel mines (the Ottawa Convention),
 - having regard to the EU Mine Action Strategy 2002-2004,
 - having regard to Rule 37(4) of its Rules of Procedure,
- A. reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,
- B. whereas to date the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (also known as the 'Mine Ban Treaty') has been ratified or acceded to by 141 states and signed by an additional nine,
- C. concerned at the fact that 44 countries remain outside the Mine Ban Treaty ⁽²⁾,
- D. whereas adherence by States Parties to the Mine Ban Treaty remains strong, with 68 States Parties having destroyed more than 31,5 million mines, while another 13 are in the process of doing so; all States Parties which have reached their stockpile destruction deadlines have declared successful completion thereof; and the compliance rate of States Parties in meeting their initial transparency-reporting requirement is more than 90 %,
- E. whereas, in spite of this progress, it is estimated that 78 countries still have between 200 and 215 million anti-personnel mines stockpiled, and that there are still between 15 000 and 20 000 new landmine victims per year, while landmines still litter 82 countries around the world,
- F. recognising, therefore, the importance of the First Review Conference of States Parties to the Convention, to be held from 29 November to 3 December 2004 in Nairobi, Kenya (the 'Nairobi Summit on a Mine-Free World'),
- G. whereas today the majority of landmines are laid in the context of armed conflict and/or civil war, in which both state armed forces and non-state armed groups may be involved in the use of landmines,

⁽¹⁾ P5_TA(2003)0548.

⁽²⁾ Armenia, Azerbaijan, Bahrain, Bhutan, China, Cuba, Egypt, Estonia, Finland, Georgia, India, Iran, Iraq, Israel, Kazakhstan, North Korea, South Korea, Kuwait, Kyrgyzstan, Laos, Latvia, Lebanon, Libya, Micronesia, Mongolia, Morocco, Myanmar (Burma), Nepal, Oman, Pakistan, Palau, Papua New Guinea, Russia, Saudi Arabia, Singapore, Somalia, Sri Lanka, Syria, Tonga, Tuvalu, United Arab Emirates, USA, Uzbekistan and Vietnam.

Thursday 22 April 2004

- H. whereas the international community has a moral duty to seek commitments from all parties involved in such conflicts, both states and armed non-state actors, to cease the use of anti-personnel mines, in order to achieve a truly universal ban on these inhumane weapons,
- I. recognising the efforts made by governments, international organisations and NGOs to encourage armed non-state actors to ban the use of anti-personnel landmines,
- J. whereas this does not imply support for or recognition of the legitimacy of armed non-state actors or their activities,
- K. recognising that armed non-state actors should show their respect for the humanitarian norm established by the Ottawa Convention in a number of concrete ways, such as: stopping the use and production of and trade in anti-personnel landmines; signing the Geneva Call Deed of Commitment; making public declarations; and facilitating demining, mine risk education, victim assistance and humanitarian mine action in areas under their control,
1. Calls on all states that have not signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction to accede to it without delay and in any case before the First Review Conference of the Convention;
2. Urges all states that have signed but not ratified the Convention to ratify it without delay;
3. Invites all states that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;
4. Calls on the United States to take back its announcement that it will not join the Convention, and to change its decision to keep its 8,8 million so-called 'smart' anti-personnel mines (fitted with self-destruct mechanisms) and to stop using 'classical' anti-personnel and anti-vehicle landmines only after 2010 – four years later than the previous target date;
5. Calls on the four remaining Member States of the enlarged European Union which have not yet ratified or acceded to the 1997 Mine Ban Treaty to do so without further delay and in any case before the First Review Conference of the Convention;
6. Calls on all States Parties to the Convention to participate at the 'highest possible level' in the Nairobi Summit, as called for at the Fifth Meeting of States Parties in Bangkok, Thailand, in September 2003;
7. Calls upon all states and other relevant actors to renew their commitments to the humanitarian aims of the Convention in advance of the Nairobi Summit, to ensure that the First Review Conference will be a significant milestone in marking achievements and assessing challenges that remain, and to declare at the Summit their unwavering determination and commitment to put an end to the suffering caused by anti-personnel mines;
8. Welcomes the statement of 13 February 2004 by the Presidency, on behalf of the European Union, in advance of the 2004 Nairobi Summit on a Mine-Free World, according to which: 'the First Review Conference should not only take stock of what has been achieved but should also focus on the future. The EU hopes that the 2004 Nairobi Conference will succeed in agreeing on a clear and practicable Plan of Action, containing concrete steps that are necessary to make significant progress in the 2004 to 2009 period';
9. Believes that the First Review Conference in Nairobi should be structured to emphasise progress to date in the pursuit of the four core aims of the Ottawa Convention, namely clearing mined areas, assisting victims, destroying stockpiles of anti-personnel mines and universalising the Convention;

Thursday 22 April 2004

10. Calls on the Nairobi Review Conference of the Ottawa Convention to make a strong commitment calling on all NSAs (Non-State Actors) to sign the 'Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Landmines and for Cooperation in Mine Action' under the Geneva Call; and calls for increased resources to be made available for humanitarian demining, mine risk education and the care, rehabilitation and social and economic reintegration of mine victims, and for mine-affected states to establish appropriate and adequate assistance for landmine survivors in areas under state control or under the de facto control of armed NSAs;
 11. Insists that the Review should also assess progress and challenges related to key matters essential for achieving these aims, particularly resource mobilisation, the exchange of information, measures taken to prevent and suppress prohibited activities, and measures to facilitate compliance; in advance of the Review Conference, urges States Parties to establish national implementing legislation (as required under Article 9), including penal sanctions, to prevent or suppress any activity prohibited under the Convention undertaken by persons or on territory under their jurisdiction or control;
 12. Recalls that the European Community has pledged EUR 240 million for the period 2002-2009, that its mine action strategy focuses on five mutually reinforcing components (advocacy to stigmatise the use of anti-personnel mines and support for a total ban on them; mine risk education; mine clearance; victim assistance; and stockpile destruction), and that it gives priority, in granting financial aid, to those countries which adhere to the principles and obligations of the Mine Ban Convention;
 13. Recalls, however, that the European Union may consider providing financial support also to states not party to the Mine Ban Convention, should humanitarian emergencies arise; as in the past, this support must be contingent on the proven political will of the recipient country to move towards accession to the Convention;
 14. Invites the Council and the EU Member States to speak with one voice at the Review Conference;
 15. Urges the Council and the Commission to continue to support the efforts to commit NSAs to a landmine ban; whereas this does not imply support for, or recognition of the legitimacy of, NSAs or their activities;
 16. Recalls that an ambitious aspect of the Mine Ban Treaty was the setting of targets for mine clearance world-wide, and that the first deadlines for mine clearance will occur in 2009; notes with regret that the slow pace of clearance and the new use of landmines in conflicts mean that these targets will not be met unless there is a clear demonstration by all States Parties of reinforced political will and resource commitments; calls on all mine-affected States Parties to establish and implement strategic and achievable national mine action plans that are consistent with the time frames outlined in the Convention;
 17. Requests, in order to allow continuous monitoring of the European Union's actions and to ensure its leading role in these actions, that a delegation of the European Parliament be included in the EU's delegation to the Nairobi Summit on a Mine-Free World;
 18. Instructs its President to forward this resolution to the Commission, the Council, the Governments of the Member States, the UN Secretary-General, the OSCE Secretary-General, the International Committee of the Red Cross, the International Campaign to Ban Landmines, the ACP-EU Joint Parliamentary Assembly, the Governments of the United States of America, the Russian Federation and the People's Republic of China, and the President-Designate of the First Review Conference of States Parties to the Convention.
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