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*** and ***I REPORT**

1. on the proposal for a Council directive on a specific procedure for admitting third-country nationals for purposes of scientific research
(COM(2004)0178 – C6-0011/2004 – 2004/0061(CNS))
2. on the proposal for a Council recommendation to facilitate the admission of third-country nationals to carry out scientific research in the European Community
(COM(2004)0178 – C6-0012/2004 – 2004/0062(CNS))
3. on the proposal for a European Parliament and Council recommendation to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the European Community for the purpose of carrying out scientific research
(COM(2004)0178 – C6-0013/2004 – 2004/0063(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Vincent Peillon

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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1. DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council directive on a specific procedure for admitting third-country nationals for purposes of scientific research
(COM(2004)0178 – C6-0011/2004 – 2004/0061(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2004)0178)¹,
 - having regard to Article 63(3)(a) and (4) of the EC Treaty,
 - having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0011/2004),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Industry, Research and Energy (A6-0054/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1 Recital 4

(4) The number of researchers which the Community will need to meet the target set by the Barcelona European Council of 3% of GDP invested in research is estimated at 700 000. This target must be met through a

(4) The number of researchers which the Community will need **by 2010** to meet the target set by the Barcelona European Council of 3% of GDP invested in research is estimated at 700 000. This target must be

¹ OJ C ... / Not yet published in OJ.

series of interlocking measures such as making scientific careers more attractive to young people, extending the opportunities for training and mobility in research, improving the career prospects for researchers in the Community and opening the Community up to third-country nationals who could potentially be admitted for research purposes.

met through a series of interlocking measures such as making scientific careers more attractive to young people, ***promoting women's involvement in scientific research***, extending the opportunities for training and mobility in research, improving the career prospects for researchers in the Community and opening the Community up to third-country nationals who could potentially be admitted for research purposes.

Justification

The number of female researchers is still far lower (less than 50% Community-wide) than that of male researchers, particularly in the field of science, despite the fact that among people under 30 years of age there are more female than male graduates. Women are hampered by barriers that need to be combated in order to ensure that they are better represented in scientific posts and decision-making bodies.

Amendment 2 Recital 5

(5) This Directive is intended to contribute to achieving these goals by fostering the admission and mobility for research purposes of third-country nationals for stays of more than three months, in order to make the Community more attractive to researchers from around the world and to boost its position as an international centre for research.

(5) This Directive is intended to contribute to achieving these goals by fostering the admission and mobility for research purposes of third-country nationals for stays of more than three months, in order to make the Community more attractive to researchers from around the world, ***especially those with the highest qualifications***, and to boost its position as an international centre for research.

Justification

If the EU is to compete successfully with its main competitors on the world stage in the field of research, it will have to create conditions that will motivate highly qualified scientists from the US and other non-European countries to carry out their research activities in Europe.

Amendment 3 Recital 12

(12) It is important to foster the mobility of ***researchers*** as a means of developing and

(12) It is important to foster the mobility of ***third-country nationals admitted for the***

consolidating contacts and networks between partners at world level.

purposes of carrying out scientific research in the European Union as a means of developing and consolidating contacts and networks between partners ***and establishing the role of the European Research Area (ERA)*** at world level.

Justification

It is essential to stress the importance of mobility and the necessary link to the European Research Area. The latter has to 'earn' its role and meaning at world level and has to be seen as a pole for quality research.

Amendment 4
Recital 12 a (new)

(12a) Given that family reunification is an essential factor in - and may indeed be a precondition for - mobility among researchers, it should be made easier for researchers' families to join them, so as to maintain family unity.

Justification

Family reunification is an extremely important factor for researchers from third countries who are planning to settle in Europe. Difficulties involved in bringing their families over are a major obstacle to researchers' mobility and may lead them to opt for a different destination. It is therefore essential to make it easier for family members of researchers admitted into the European Union to enter the territory and reside there.

Amendment 5
Recital 14 a (new)

(14a) In view of the restrictions on access to the labour market affecting some EU citizens during existing transitional periods, full exemption from these restrictions should be sought for researchers who go to other EU Member States in order to carry out research.

Justification

The Directive could lead to less favourable treatment of EU citizens - namely researchers

from the new Member States - compared to third country nationals. It is therefore necessary to express the hope that Member States which have chosen to introduce restrictions on access to their labour markets (this also includes certain 'new' Member States which have introduced restrictions against the 'old' States under the principle of reciprocity) will exempt researchers going to other EU States to carry out research work from these 'restrictions'.

Amendment 6
Article 1

This Directive lays down the conditions for the admission of third-country researchers to the **Member States** for more than three months for the purposes of conducting a research project under *a* hosting **agreement** with *a* research **organisation**.

This Directive lays down the conditions for the admission of third-country researchers to the **European Union** for more than three months for the purposes of conducting a research project under hosting **agreements** with **one or more approved** research **organisations in one or more Member States**.

Justification

To bring this article into line with Article 13, under which a third-country national may conduct a research project in more than one Member State and may sign more than one hosting agreement. The European Union must be considered a common research area in which there is freedom of movement for persons.

Amendment 7
Article 2, point (b)

(b) “Researcher” means a third-country national holding a postgraduate (master’s or equivalent) degree admitted to the territory of a Member State of the European Union for the purposes of conducting a research project at a research organisation;

(b) “Researcher” means a third-country national holding a postgraduate (**at least** master’s or equivalent) degree admitted to the territory of a Member State of the European Union for the purposes of conducting a research project at a research organisation;

Justification

It is important for the purposes of the Directive that the definition of the term 'researcher' be the widest possible to be found in existing Community legislation, while guaranteeing a minimum level of higher education.

Amendment 8
Article 4, paragraph 2, subparagraph 1 a (new)

Approval granted to a research organisation shall be valid for a renewable period of five years. Member States may grant approval for a longer period. Research organisations for which approval is refused shall receive a full justification for that refusal.

Justification

The Commission proposal provides for unlimited approval being granted to the organisation concerned if its main task consists in conducting research. It would be more appropriate to restrict the validity all such approvals to a renewable period of five years. This would ensure that periodic checks are made. This amendment complements amendments 9 and 10.

Amendment 9
Article 4, paragraph 3

3. Member States shall approve for an unlimited period public and private organisations whose main tasks consist in conducting research and Member States' higher education establishments within the meaning of their legislation or administrative practice.

3. Member States may, in accordance with national law, require the research organisation to supply a written undertaking to the effect that, should the researcher remain unlawfully on the territory of the Member State concerned, the organisation will take responsibility for reimbursing residence costs, health costs and the cost of return paid from public funds. The research organisation's financial liability shall cease no later than six months after the expiry of the hosting agreement.

Justification

In view of the central role they are given to play in the admission of third-country nationals, it is important for research organisations to take on certain responsibilities. In order to guard against abuses, they should bear any costs arising from unlawful stays by researchers for a period of six months after the expiry of the agreement. The one-year period put forward by the Commission would be likely to deter organisations, while a six-month period is in keeping with the proportionality principle.

Amendment 10
Article 4, paragraph 4

4. Member States shall approve public

deleted

organisations for an unlimited period if they conduct research activities in addition to their main tasks.

Justification

Replaced by the new wording of Article 4(2).

Amendment 11
Article 4, paragraph 5

5. Member States shall approve private firms for a period of five years, renewable, if they conduct research activities in addition to their corporate purpose. *deleted*

Justification

Replaced by the new wording of Article 4(2).

Amendment 12
Article 4, paragraph 6

6. When applying for approval, the research organisation shall give the host Member State an undertaking that they will assume responsibility for residence costs, health costs, and the cost of return in respect of the researchers it hosts and to issue them with the statement referred to in Article 5(3). The research organisation shall remain responsible for these costs for one year after the date of expiry of the hosting agreement referred to in Article 5 or the date on which the organisation informs the Member State of an event rendering it impossible to implement the hosting agreement in accordance with Article 5(4), for as long as the researcher has not left the territory of the European Union. *deleted*

Justification

Replaced by the new wording of Article 4(3).

Amendment 13
Article 4, paragraph 7

7. Within two months of the date of expiry of the hosting agreements concerned, the approved research organisations **shall** provide the **authority** designated for the purpose by the Member States with confirmation that the work has been carried out for each of the research projects in respect of which they have signed a hosting agreement pursuant to Article 5.

7. **Member States may provide that** within two months of the date of expiry of the hosting agreements concerned, the approved research organisations **are to** provide the **competent authorities** designated for the purpose by the Member States with confirmation that the work has been carried out for each of the research projects in respect of which they have signed a hosting agreement pursuant to Article 5.

Justification

The aim of this amendment is to leave to the Member States the decision on whether or not confirmation must be provided, so as to avoid making bureaucratic procedures any more cumbersome, unless this is absolutely necessary. Introducing excessive red tape could lead to a loss of interest from research organisations in accepting researchers from third countries, which runs counter to the aims of this Directive.

Amendment 14
Article 4, paragraph 9

9. A Member State may refuse to renew or decide to withdraw the approval of a research organisation which no longer meets the conditions laid down in paragraphs 2 to 7 or which has signed a hosting agreement with a third-country national in respect of whom the Member State has applied Article 8(1). Where approval has been refused or withdrawn or where it has not been renewed on the basis of Article 8(1), the organisation concerned may not reapply for approval before five years from the date of publication of the decision on withdrawal or non-renewal.

9. A Member State may refuse to renew or decide to withdraw the approval of a research organisation which no longer meets the conditions laid down in paragraphs 2 to 7 or which has signed a hosting agreement with a third-country national in respect of whom the Member State has applied Article 8(1). Where approval has been refused or withdrawn or where it has not been renewed on the basis of Article 8(1), the organisation concerned may not reapply for approval before five years from the date of publication of the decision on withdrawal or non-renewal. **Research organisations will not be held responsible for violations of the conditions specified in Article 6(a) and (d) unless there are grounds for suspecting their collusion in unlawful acts of the researcher.**

Justification

Research organisations should not be obliged to check compliance with conditions which clearly exceed their competences and lie within the remit of the competent authorities of the Member States.

Amendment 15
Article 5, paragraph 2, point (b)

(b) during his stay the researcher will have sufficient monthly resources to meet his expenses and return travel costs in accordance with the minimum amount published for the purpose by the Member State, without having recourse to the Member State's social **welfare** system;

(b) during his stay the researcher will have sufficient monthly resources to meet his expenses and return travel costs in accordance with the minimum amount published for the purpose by the Member State, without having recourse to the Member State's social **assistance** system;

Justification

Concerns the English version only. Researchers from third countries must be given the same rights as those enjoyed by EU nationals. It is essential for them to be given access to the sickness insurance scheme.

Amendment 16
Article 7

Member States shall issue a residence permit for **one year or more and shall renew it annually if the conditions laid down in Articles 5 and 6 are still met. If the research project is scheduled to last less than one year, the residence permit shall be issued for** the duration of the project.

Member States shall issue a residence permit for the duration of the **hosting agreement. This period may be extended by 30 days at the request of the person concerned.**

Justification

If we wish to encourage researchers from third countries to come to work in the European Union, we need to make administrative formalities as simple as possible for them. It is more logical to base the residence permit's duration on that of the hosting agreement than to have a permit that must be renewed each year.

Amendment 17
Article 7 a (new)

Article 7 a

Family members

1. Member States shall authorise the entry and residence of family members of the researcher.

2. 'Family members' shall mean:

(a) the spouse;

(b) the partner with whom the third-country researcher has entered into a registered partnership if, under the legislation of the host Member State, registered partnerships are equivalent to marriage, and subject to the conditions laid down by the relevant legislation in the host Member State;

(c) direct descendants who are under 21 years of age or who are dependent, and direct descendants of the spouse or of the partner as referred to in point (b);

d) dependent direct ascendants and those of the spouse or of the partner as referred to in point (b);

The host Member State shall be free to apply more favourable conditions.

Justification

As specified in Recital 12 b (new), the definition to which the Member States must refer in examining an application for family reunification is based on that given in Directive 2004/38/EC.

Amendment 18
Article 8 paragraph 2

2. Member States may withdraw or refuse to renew a residence permit for reasons of **public policy**, public security or public health. Where they take such a decision, Member States shall take account of the seriousness or nature of the infringement of public **policy** or public health committed by

2. Member States may withdraw or refuse to renew a residence permit for reasons of public security or public health. Where they take such a decision, Member States shall take account of the seriousness or nature of the infringement of public **security** or public health committed by the person concerned or

the person concerned or the threat posed by that person. The competent authority of the Member State concerned may not withhold renewal of the residence permit, withdraw the permit or remove its holder from the territory on the ground of illness or disability suffered after the residence permit was issued.

the threat posed by that person. The competent authority of the Member State concerned may not withhold renewal of the residence permit, withdraw the permit or remove its holder from the territory on the ground of illness or disability suffered after the residence permit was issued.

Justification

The aim of this amendment is to remove the reference to the concept of 'public policy', which is ambiguous and could give rise to abuses by national authorities.

Amendment 19
Article 11

Researchers admitted under this Directive may teach in ***a higher education establishment within the meaning of Member States` legislation and administrative practice, subject to a maximum number of hours per year set by each Member State.***

Researchers admitted under this Directive may teach in ***accordance with national legislation. Member States may set a maximum number of hours or days per year that researchers are allowed to teach, if such a limitation is provided for in existing national legislation.***

Justification

This amendment is designed to simplify the rules and, by adding a reference to existing limits on teaching hours (where such limits are applied in the Member States), to ensure equal conditions for researchers from third countries within the meaning of this directive, on a par with researchers from individual Member States.

Amendment 20
Article 13

1. A holder of a residence permit issued under this Directive may, under cover of the permit together with a valid passport or equivalent travel document, conduct part of his research project on the territory of another Member State, provided the latter does not regard him as a threat to public policy, public security or public health. If necessary, bearing in mind the time needed to conduct this part of the research, a new hosting agreement

1. A third-country national admitted as a researcher under this Directive shall be entitled to conduct part of his research work in another Member State under the conditions set out in this article. Member States shall not require the researcher to leave their territory in order to submit an application for a visa or a residence permit.

shall be signed, on the basis of which the researcher shall be issued a residence permit in the second Member State.

2. Paragraph 1 shall not affect Member States' right to require a short-term visa for third-country nationals not covered by the mutual recognition arrangements laid down in Article 21 of the Convention Implementing the Schengen Agreement.

2. A researcher residing for no more than three months in another Member State may conduct his research work on the basis of the hosting agreement concluded in the first Member State, provided that he has sufficient resources in the other Member State and that the latter State does not consider him to pose a threat to public policy, public security or public health.

2a. Should the researcher reside for more than three months in another Member State, the Member States may require that a new hosting agreement be concluded, to cover his research work in the Member State concerned. In any event, the conditions set out in Articles 5 and 6 shall be complied with vis-à-vis the other Member State.

2b. Where, under the relevant legislation, mobility is conditional upon the issue of a visa or residence permit, the visa or permit shall be granted without delay and within a period that, while allowing the competent authorities sufficient time to process the application, does not hamper the continuation of the research work.

Member States shall not require the researcher to leave their territory in order to submit an application for a visa or residence permit.

Justification

The article on mobility is one of the most important parts of the directive. Researchers must be allowed to conduct their research work in more than one Member State. The formalities should therefore be made as streamlined as possible. Nonetheless, given the responsibilities incumbent on research organisations, it is reasonable to require a new agreement to be signed where researchers plan to reside for more than three months outside the host Member State. This additional provision is necessary in order to guarantee the right to apply in loco and foster mobility.

Amendment 21
Article 13, paragraph 2 c (new)

2c. During the period of validity of his residence permit, the researcher may apply for a new hosting agreement in the same or another Member State. The new application shall be treated by a simplified procedure, which does not include examination of the condition stipulated in Article 5(2)(a)(ii), provided that the initial research organisation provides written confirmation that the work has been carried out satisfactorily up to the time of submission of the new application.

Justification

This additional provision is necessary in order to facilitate the passage of third-country researchers from one research programme that has been completed to another one taking place in the same or a different Member State, thus enhancing researcher mobility.

Amendment 22
Article 15 paragraph 1

1. The relevant authorities in the Member State shall notify the applicant in writing, in accordance with the notification procedures laid down in the relevant national legislation, of their decisions regarding his application for admission or for the renewal of his residence permit at the latest within 30 days of the date on which the application was submitted. Member States shall lay down in national legislation the consequences for the authorities concerned of failing to take a decision by this deadline. In exceptional cases involving complex applications, the deadline may be extended.

1. The relevant authorities in the Member State shall notify the applicant in writing ***without delay***, in accordance with the notification procedures laid down in the relevant national legislation, of their decisions regarding his application for admission or for the renewal of his residence permit at the latest within 30 days of the date on which the application was submitted. Member States shall lay down in national legislation the consequences for the authorities concerned of failing to take a decision by this deadline. In exceptional cases involving complex applications, the deadline may be extended, ***but in no case by more than an additional 30 days. The applicant shall receive full justification for any such extension.***

Justification

This amendment further emphasises the need for applicants to be notified as quickly as

possible of decisions taken.

Amendment 23
Article 16 paragraph 1 a (new)

These costs may be covered by the research organisation with which the person concerned has signed a research contract.

Justification

This amendment is designed to highlight the possibility of researchers receiving assistance from the organisation which invited them, so that financial factors do not hinder the application process.

Amendment 24
Article 18

Periodically, and for the first time ***no later than [...]****, the Commission shall report to the European Parliament and the Council on the application of this Directive in the Member States and shall propose any amendments that ***are necessary***. To this end, the Member States shall send the Commission statistical data on the application of this Directive.

Periodically, and for the first time ***two years after the entry into force of this Directive***, the Commission shall report to the European Parliament and the Council on the application of this Directive in the Member States ***and on progress with implementation of the measures provided for in the two Council recommendations to facilitate the admission of third-country nationals to carry out scientific research in the European Community*** and shall propose any amendments ***and additions that need to be made to the Directive and, where appropriate, that the second recommendation be converted into a regulation***. To this end, the Member States shall send the Commission statistical data on the application of this Directive.

* ***[Three years after the entry into force of this Directive.]***

Justification

It is essential for the Commission to review implementation of both the directive and the two

recommendations linked thereto and, following the review, for it to be able to propose that the two non-binding instruments be converted - one by means of an amending directive and the other through the adoption of a regulation.

2. DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council recommendation to facilitate the admission of third-country nationals to carry out scientific research in the European Community (COM(2004)0178 – C6-0012/2004 – 2004/0062(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2004)0178)¹,
 - having regard to Article 63 of the EC Treaty,
 - having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0012/2004),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Industry, Research and Energy (A6-0054/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 25
Recital 4

(4) The number of researchers which the Community will need if it is to meet the target set by the Barcelona European Council of investing 3% of GDP in research is put at 700 000. This target must

(4) The number of researchers which the Community will need if it is to meet the target set by the Barcelona European Council of investing 3% of GDP in research is put at 700 000. This target must

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be met through a series of interlocking measures, such as making scientific careers more attractive to young people, increasing the opportunities for training and mobility in research, improving career prospects for researchers within the Community and opening up the Community to third-country nationals who might be admitted for the purposes of research.

be met through a series of interlocking measures, such as making scientific careers more attractive to young people, ***promoting women's involvement in scientific research***, increasing the opportunities for training and mobility in research, improving career prospects for researchers within the Community and opening up the Community to third-country nationals who might be admitted for the purposes of research.

Justification

The number of female researchers is still far lower (less than 50% Community-wide) than that of male researchers, particularly in the field of science, despite the fact that among people under 30 years of age there are more female than male graduates. Women are hampered by barriers that need to be combated in order to ensure that they are better represented in scientific posts and decision-making bodies.

Amendment 1

Paragraph 1, point (c)

c) guarantee third-country nationals the possibility of working as a researcher without any maximum time limit, save where ***an exception is justified by the needs of the researchers' country of origin***;

c) guarantee third-country nationals the possibility of working as a researcher without any maximum time limit, save where ***the third-country national in question is not in possession of a valid passport or equivalent travel document or constitutes a threat to public policy, public security or public health***;

Justification

The provision as proposed by the Commission does not ensure the required clarity and precision of the legal text.

Amendment 2

Paragraph 2, point (b)

b) guarantee third-country nationals working as researchers that their residence permits will be renewed indefinitely, save where ***an***

b) guarantee third-country nationals working as researchers that their residence permits will be renewed indefinitely, save where ***the***

exception is justified by the needs of the researchers' country of origin;

third-country national in question is not in possession of a valid passport or equivalent travel document or constitutes a threat to public policy, public security or public health;

Justification

The provision as proposed by the Commission does not ensure the required clarity and precision of the legal text.

Amendment 3
Paragraph 4, point (d)

d) designate a contact person within the ministry that deals with research who would be responsible for the admission of researchers from third countries;

d) designate a contact person within the ministry that deals with research **and innovation** who would be responsible for the admission of researchers from third countries;

Justification

Member States should ensure that the proposed mechanism (special admission procedures for third-country researchers) will in particular favour the private sector and ensure that mechanisms helping the private sector to invest in research and innovation are in place.

3. DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council recommendation to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the European Community for the purpose of carrying out scientific research

(COM(2004)0178 – C6-0013/2004 – 2004/0063(CNS))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004)0178)¹,
 - having regard to Article 251(2) and Article 62(2)(b)(ii) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0013/2004),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Industry, Research and Energy (A6-0054/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 26

Recital 4

(4) The number of researchers which the Community will need if it is to meet the target set by the Barcelona European Council of investing 3% of GDP in research is put at 700 000. This target must be met through a series of interlocking measures, such as making scientific careers more attractive to young people, increasing the opportunities for training and mobility in research, improving career prospects for

(4) The number of researchers which the Community will need if it is to meet the target set by the Barcelona European Council of investing 3% of GDP in research is put at 700 000. This target must be met through a series of interlocking measures, such as making scientific careers more attractive to young people, ***promoting women's involvement in scientific research***, increasing the

¹ OJ C ... / Not yet published in OJ.

researchers within the Community and opening up the Community to third-country nationals who might be allowed to enter and travel within the common area for the purposes of research.

opportunities for training and mobility in research, improving career prospects for researchers within the Community and opening up the Community to third-country nationals who might be allowed to enter and travel within the common area for the purposes of research.

Justification

The number of female researchers is still far lower (less than 50% Community-wide) than that of male researchers, particularly in the field of science, despite the fact that among people under 30 years of age there are more female than male graduates. Women are hampered by barriers that need to be combated in order to ensure that they are better represented in scientific posts and decision-making bodies.

Amendment 1

Recital 13 a (new)

(13a) The recommendation is also intended to provide a flexible formula for researchers who wish to maintain a professional link with an organisation of their country of origin (e.g. by spending periods of up to three months every semester in a European host research organisation located in the common area while continuing to work the rest of the time in the research organisation of origin).

Justification

Such an option must be given if Europe wishes to be competitive and attractive at world level.

Amendment 2

Paragraph 6

6. undertake to supply the Commission, one year after the adoption of the recommendation, with information about best practices adopted to facilitate the issue of uniform visas for researchers, to enable it to evaluate the progress made.

6. undertake to supply the Commission, one year after the adoption of the recommendation, with information about best practices adopted to facilitate the issue of uniform visas for researchers, to enable it to evaluate the progress made. ***Having***

regard to whether Directive .../.../EC on a specific procedure for admitting third-country nationals for purposes of scientific research has been adopted, and to the outcome of the evaluation, the possibility of incorporating the provisions of this Recommendation in an appropriate legally binding instrument will be examined.

Justification

Notwithstanding the proportionality principle and as the proposed provisions have the potential to significantly contribute to enhancing Europe's role as a research 'pole' at international level, it is desirable that these provisions are incorporated into a binding Community legal instrument in the future.

EXPLANATORY STATEMENT

Background to the Commission proposals

The Commission has submitted to Parliament a package of measures seeking to facilitate the admission of third-country researchers to the European Union.

These proposals are intended to help meet the targets set in Lisbon and Barcelona.

In Lisbon in 2002 the Union set itself the objective of becoming the most competitive and dynamic knowledge economy in the world.

Given that one of the keys to the success of this strategy is to give a new impetus to European research policy, the European Council adopted the proposals submitted by the Commission in January 2000 with a view to the establishment of a European research area. The idea was to break down the barriers between national research systems, and enhancing the mobility of researchers - an option that has subsequently been endorsed on several occasions - was chosen as one of the means of doing so.

Mobility is an essential factor in the acquisition and transfer of knowledge. It therefore helps to raise the general standard of European research through the transfer of expertise and the formation of scientists' networks.

These considerations were taken into account in the 6th R&TD Framework Programme, with € 1.6 billion being earmarked for action to promote researcher training, mobility and career development as part of the Human Resources and Mobility activity.

However, in addition to mobility within the European Union, consideration also needs to be given to mobility within the framework of exchanges with third countries.

It is essential for non-EU researchers to be taken in if we wish to meet the Barcelona target of investing 3% of the Member States' GDP in research and technological development. In order to do so the EU will need to recruit 700 000 researchers by 2010 and it will not be able to produce this number of researchers itself.

It is therefore essential to remove the barriers preventing scientists from coming to the EU.

The idea of creating a specific permit for third-country researchers was raised in 2001 in a communication from the Commission. The Commission has since developed close ties with Ministries of Justice or Home Affairs in the Member States during implementation of this communication.

It must not be forgotten that, while the proposal deals with researchers and is therefore of direct interest to DG Research, it come primarily within the sphere of immigration policy and thus DG JHA, as is demonstrated by the choice of legal bases.

A balance needs to be struck between the urgent need to give the European research area a boost and immigration and security concerns.

In order to head off any future disputes, we need to base our action on the principle that researchers are not 'ordinary migrants'. They come within that category of highly-qualified migrants in respect of which the Commission came down clearly in favour of the controlled reopening of legal immigration channels in its communication of 22 November 2000 on a Community immigration policy.

Substance of proposals

The Commission has put forward three instruments:

- the **directive** focuses specifically on the admission of researchers, conditions governing entry and residence for periods of more than three months, researchers' rights and the scope of Community legislation in the area. It provides for an enhanced role for research organisations and the introduction of a residence permit not linked to the researcher's status;
- the **first recommendation** seeks to prepare the ground for the directive's implementation by calling on Member States to adopt on a gradual basis measures facilitating the admission of third-country researchers; it also covers, inter alia, the issue of residence permits, family reunification and operational cooperation between Member States and the Commission;
- the **second recommendation** covers the issue of short-stay visas to meet the special needs of researchers who are required, for example, to speak at seminars and conferences. Parliament has been asked for its opinion on this recommendation under the **codecision** procedure.

Rapporteur's position

The rapporteur welcomes the move to facilitate the admission of third-country researchers to the European Union.

He endorses the overall approach taken in the package of measures put forward and stresses the importance of introducing measures aimed at attracting scientists to the European research area while creating an environment likely to encourage researchers to remain within the EU.

The rapporteur would point out that the scientific community has been waiting for legislation in this area for several years now and stresses the need for the directive to be brought into force at the earliest opportunity. In this connection, he deplores the fact that the Council is envisaging the possibility of derogating from the proposed system for two years after the directive's entry into force. This would mean a postponement until 2009, which would be totally at odds with the urgency of the situation!

Procedure

The rapporteur is extremely unhappy with the methods being used by the Council. It reached political agreement on the directive on 19 November 2004 and on the first recommendation as

far back as 26 May 2004, which was even before Parliament had held its first exchange of views. This means that, in practice, Parliament is being stripped of its powers in this matter.

In future, the rapporteur expects the principle of loyal cooperation between the institutions to be adhered to, which means that the Council must refrain from taking decisions before Parliament has had an opportunity to give its opinion.

The explanatory statement and the amendments will therefore take account of the text of the political agreement.

The rapporteur calls on the Council to review its position in the light of Parliament's amendments.

Substance of proposals

Approval of 'host' research organisations (Article 4 of directive)

The rapporteur considers that approval should not be granted for an unlimited period; it should instead be granted for a renewable period of five years. Furthermore, the period during which an organisation continues to be responsible for a researcher after the expiry of the agreement should be reduced to six months.

Legal immigration (Articles 7 and 15 of directive/points 1 and 2 of first recommendation)

This package of measures could be considered one of the first Community instruments on legal immigration. This is because all form of quotas or national controls on the entry of researchers is rendered null and void by the directive, which requires Member States to issue residence permits to researchers on production of a hosting agreement. The Commission makes provision for a residence permit being issued within thirty days of the date of application. The Council is apparently unwilling to accept this deadline, which, however, is essential to the procedure's effectiveness.

In connection with legal immigration by researchers, one extremely positive provision deserves support, namely the fact that the issue of a residence permit means that there is no need to apply for a work permit.

In the run-up to the total abolition advocated in the directive, the first recommendation calls on Member States to choose between an exemption from work permit requirements and the automatic issue of work permits.

Family reunification (point 3 of first recommendation)

The rapporteur welcomes the Council's wish to include provisions on family reunification in the directive, while the Commission dealt with this matter in the first recommendation only. He nonetheless deplores the fact that the provisions on family reunification are optional, with the final choice being left to the Member States.

He also regrets the lack of provisions covering other matters linked to family reunification, such as access to the labour market for researchers' spouses.

The Council deleted the references to family reunification in the first recommendation. It

would be preferable for them to be retained, since they were much more precise and detailed.

Withdrawal or non-renewal of the residence permit (Article 8 of directive)

The rapporteur endorses the Commission proposal to confine withdrawal or non-renewal of the residence permit to cases of 'serious' infringement of public policy or public health and its proposal that 'illness or disability suffered after the residence permit was issued' should not be grounds for withholding renewal of the residence permit, withdrawing the permit or removing its holder from the territory of a Member State. He deeply regrets the fact that the Council deleted this paragraph, which is in keeping with the case law of the European Court of Human Rights.

Mobility of researchers in the EU (Article 13 of directive)

The directive takes due account of the fact that researchers are often obliged to travel during the course of their work. It accordingly provides that a holder of a residence permit issued under the directive may conduct part of his research project on the territory of another Member State if a number of conditions are met. The rapporteur would like to clarify the Commission's proposals by stipulating that at the end of a period of three months in another Member State, a new agreement and a new residence permit must be obtained in the host Member State.

Applications for admission (Article 14 of directive)

The rapporteur shares the Commission's view that researchers should be able to submit applications for admission when they are already on the territory of a Member State, whether for study purposes or on holiday. The Council, on the other hand, has taken the view that each Member State should decide whether to allow this or not.

22.2.2005

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council directive on a specific procedure for admitting third-country nationals for purposes of scientific research
(COM(2004)0178 – C6-0011/2004 – 2004/0061(CNS))

Draftsman: Nikolaos Vakalis

SHORT JUSTIFICATION

I. Summary of the proposal

Background: In Lisbon the European Union set itself the ambitious goal of becoming the most competitive knowledge-based economy in the world by 2010. Since Europe has so far failed to deliver and time is running out, it is absolutely necessary that new measures are introduced if we still want to achieve the Lisbon targets.

The recently released KOK report calls for immediate measures to be taken in the field of research with the ultimate purpose of constructing a European Research Area attractive enough to compete successfully with corresponding areas in the rest of the world.

Europe will need up to 700 000 more researchers until 2010 for this purpose. One of the measures that may contribute to this end is the facilitation of the admission of third-country nationals in the EU through simplified procedures for awarding residence permits and visas (in addition to further measures which should be envisaged for facilitating the repatriation of highly qualified Europeans currently working as researchers outside the Union).

The Commission's proposal: The present proposal introduces a threefold legal framework:

- 1) A proposal for a Directive introducing a special admission mechanism for third-country researchers.

- 2) Two proposals for Recommendations aiming respectively at: (i) introducing during the period needed for the transposition of the Directive into national law certain concrete measures to facilitate the admission of third-country researchers, and (ii) regulating the specific issue of short-term visas for researchers.

II. Draftsman's comments

Your draftsman welcomes the Commission's proposal and believes that the proposed instrument can be one of the means to attract and maintain researchers in Europe.

General goal:

a. Your draftsman stresses that the proposed legal instrument should be the means for attracting mainly two categories of researchers in the EU: 1) highly qualified and world-wide renowned researchers working currently in other parts of the world, and 2) young talented researchers from developing countries who will be given an opportunity to carry out research in Europe before returning to their home countries, so that Europe becomes the reference point for their further research work.

b. Your draftsman points out that **the present proposal should fully trust the research organisations and the research community in general** and therefore adopt, as far as possible, a "facilitating" approach towards them and their work instead of the "tentative" approach characterising immigration policy.

Public & private sector: It is important that the concept of "research organisation" covers not only the public, but also the private sector, since there is currently a lack of measures facilitating research by the latter despite the Barcelona target of 2% of GDP private spending on R&D. At this point, the special needs of SMEs should be given thorough consideration.

Research organisations: Research organisations play a central role in the whole admission procedure, thus easing the role of the immigration authorities. Your draftsman welcomes the proposed legal instrument as a step towards the creation of an ideal environment for research in the EU, and especially towards conditions of complete autonomy for research organisations to select research teams and set up laboratories or research centres. In return for these prerogatives, research organisations remain the financially responsible party.

Enhancing Europe's attractiveness to third-country researchers: It is of particular importance that admitted researchers enjoy special status in the hosting country and in the EU in general. Thus:

- It is vital that the admission of such researchers is independent of the requirement for a work permit.
- Mobility of such researchers within the European Research Area is instrumental to the success of the latter and must be given due consideration.
- Family members of the researcher should be granted a residence permit for the same period of time as that for which the researcher is admitted.

Bureaucracy & national impediments: Your draftsman fears that the proposed mechanism will be hampered by existing bureaucratic procedures relating, e.g., to recognition of diplomas, health and social security arrangements, tax measures etc. He draws the attention of

the Member States to such complexities and to the fact that measures need to be taken in order to minimise the negative impact of such requirements on third-country researchers.

Financial support: Your draftsman feels that, in order to give real incentives for the attraction of distinguished researchers from third countries, such a proposal needs to be combined with adequate financing measures linking it to the Community research policy (e.g. both the current 6th Framework Program and the future 7th Framework Program).

Urgency for action: Given the Lisbon commitments and the limited time available, adoption of the legislative package must take place as soon as possible. If it acts quickly, Europe can also profit from the currently restrictive immigration policy of the USA.

Your draftsman regrets that the Council has already reached a political agreement on the present proposal disregarding effectively the Parliament's role in the consultation process.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 Recital 4

(4) The number of researchers which the Community will need to meet the target set by the Barcelona European Council of 3% of GDP invested in research is estimated at 700 000. This target must be met through a series of interlocking measures such as making scientific careers more attractive to young people, extending the opportunities for training and mobility in research, improving the career prospects for researchers in the Community and opening the Community up to third-country nationals who could potentially be admitted for research purposes.

(4) The number of researchers which the Community will need **by 2010** to meet the target set by the Barcelona European Council of 3% of GDP invested in research is estimated at 700 000. This target must be met through a series of interlocking measures such as making scientific careers more attractive to young people, extending the opportunities for training and mobility in research, improving the career prospects for researchers in the Community and opening the Community up to third-country nationals who could potentially be admitted for research purposes.

¹ Not yet published in OJ.

Justification

Specification of the timeframe set by the Barcelona European Council must be made in order to stress the urgency of the proposed legislation

Amendment 2
Recital 5

(5) This Directive is intended to contribute to achieving these goals by fostering the admission and mobility for research purposes of third-country nationals for stays of more than three months, in order to make the Community more attractive to researchers from around the world and to boost its position as an international centre for research.

(5) This Directive is intended to contribute to achieving these goals by fostering the admission and mobility for research purposes of third-country nationals for stays of more than three months, in order to make the Community more attractive to researchers from around the world, ***especially those with the highest qualifications***, and to boost its position as an international centre for research.

Justification

If the EU is to compete successfully with its main competitors on the world stage in the field of research, it will have to create conditions that will motivate highly qualified scientists from the US and other non-European countries to carry out their research activities in Europe.

Amendment 3
Recital 12

(12) It is important to foster the mobility of ***researchers*** as a means of developing and consolidating contacts and networks between partners at world level.

(12) It is important to foster the mobility of ***third-country nationals admitted for the purposes of carrying out scientific research in the European Union*** as a means of developing and consolidating contacts and networks between partners ***and establishing the role of the European Research Area (ERA)*** at world level.

Justification

It is essential to stress the importance of mobility and the necessary link to the European Research Area. The latter has to "earn" its role and meaning at world level and has to be seen as a pole for quality research.

Amendment 4
Recital 14 a (new)

(14a) This Directive could make a significant improvement in the field of social security as the non-discrimination principle could also apply to persons coming to a Member State directly from a third country. Rights beyond those already provided in existing Community legislation in the field of social security for third-country nationals who move between Member States may be granted in order to facilitate the required mobility of such researchers in the ERA.

Justification

Social security requirements can significantly hinder integration of third-country researchers in the hosting Member State and considerably impede their mobility in the EU.

Amendment 5
Recital 15 a (new)

(15a) The Community should provide, also within the framework of current and future Framework Programmes, for concrete measures to support research organisations and researchers who sign a hosting agreement. Through its funding policy the Community should encourage multi-annual research programs, providing an adequate time horizon for planning research activities, including personnel requirements and securing the necessary financial resources.

Justification

The proposed legal framework needs to be combined with appropriate financing measures so that it yields substantial results. The EU needs to promote, through its research policy, multi-annual research projects completed with the aid of hosting agreements in order to maximise the benefits of the proposed legal instruments for the ERA.

Amendment 6
Article 2, point (b)

(b) “Researcher” means a third-country national holding a postgraduate (master’s or equivalent) degree admitted to the territory of a Member State of the European Union for the purposes of conducting a research project at a research organisation;

(b) “Researcher” means a third-country national holding a postgraduate (***at least*** master’s or equivalent) degree admitted to the territory of a Member State of the European Union for the purposes of conducting a research project at a research organisation;

Justification

It is important for the purposes of the Directive that the definition of the term 'researcher' be the widest possible to be found in existing Community legislation, while guaranteeing a minimum level of higher education.

Amendment 7
Article 2, point (d)

(d) “Research organisation” means any public establishment or private firm which conducts research and which has been approved for the purposes of this Directive by a Member State in accordance with the latter’s legislation or administrative practice;

(d) “Research organisation” means any public establishment or private firm which conducts research ***as a principal or ancillary activity*** and which has been approved for the purposes of this Directive by a Member State in accordance with the latter’s legislation or administrative practice; ***any small and medium-sized enterprise which has had at least one research project approved for Community financing shall be considered as a research organisation for the purposes of this Directive;***

Justification

It is important that the scope of the proposed legislation encompass also the public organisations and (especially) the private firms that are involved in research in addition to their principal activity. In that framework, it is especially important to promote SMEs, which do not usually have R&D departments, as host organisations for third-country researchers.

Amendment 8
Article 2, point (e a) new

(ea) "Family members" means the spouse, and children (including step, adopted and foster children) of the researcher, and the

parents (including step-parents) of the researcher and the spouse.

Justification

This relates to Article 7, paragraph 1a (new) on family members. In order to attract researchers to locate in the EU, it is essential to make it easier for family members of researchers to enter and reside in the EU. Unlike Directive 2003/86/EC on the right to family reunification, which refers to permanent immigration, this permission is limited in time to the researcher's stay in the EU.

Amendment 9
Article 3, paragraph 2

2. This Directive shall not affect the right of Member States to adopt or retain more favourable provisions for persons to whom it applies. Member States ***may*** apply this Directive to third-country nationals requesting admission for the purposes of teaching in a higher education establishment within the meaning of the Member States' legislation or administrative practice.

2. This Directive shall not affect the right of Member States to adopt or retain more favourable provisions for persons to whom it applies. Member States ***shall*** apply this Directive to third-country nationals requesting admission for the purposes of teaching in a higher education establishment within the meaning of the Member States' legislation or administrative practice.

Justification

It is important that Member States grant a special status to highly-qualified researchers for teaching purposes as well, as carrying out high-quality research and lecturing at higher education level (e.g. universities) are intrinsically linked.

Amendment 10
Article 4, paragraph 3

3. Member States shall approve for an unlimited period public and private organisations whose main tasks consist in conducting research and Member States' higher education establishments within the meaning of their legislation or administrative practice.

3. The approval granted to a research organisation, public or private, shall be for a minimum period of five years. Member States may grant approval for a longer period. Research organisations for which approval is refused shall receive a full justification for that refusal.

Justification

Private and public organisations must be treated equally, especially as the Union requires from the private sector to drastically boost its spending for research. The period of five years is an adequate length of time, enabling the national authorities to periodically reevaluate

whether the organisation in question is conducting research in a proper way. However, Member States may want to grant approval for a longer period of time in order to avoid additional bureaucracy, especially if these Member States have other mechanisms in place to control conducted research. Transparency will be served by establishing the right for full justification in case of refusal.

Amendment 11
Article 4, paragraph 4

4. Member States shall approve public organisations for an unlimited period if they conduct research activities in addition to their main tasks. *deleted*

Justification

It is important that the scope of the proposed legislation encompass also the public organisations and (especially) the private firms that are involved in research in addition to their principal activity. In that framework, it is especially important to promote SMEs, which do not usually have R&D departments, as host organisations for third-country researchers.

Amendment 12
Article 4, paragraph 5

5. Member States shall approve private firms for a period of five years, renewable, if they conduct research activities in addition to their corporate purpose. *deleted*

Justification

It is important that the scope of the proposed legislation encompass also the public organisations and (especially) the private firms that are involved in research in addition to their principal activity. In that framework, it is especially important to promote SMEs, which do not usually have R&D departments, as host organisations for third-country researchers.

Amendment 13
Article 4, paragraph 6

6. When applying for approval, the research organisation shall give the host Member State an undertaking that they will assume responsibility for residence costs, health costs, and the cost of return in respect

6. When applying for approval, the research organisation shall give the host Member State an undertaking that they will assume responsibility for residence costs, health costs, and the cost of return in respect

of the researchers it hosts and to issue them with the statement referred to in Article 5(3). The research organisation shall remain responsible for these costs for **one year** after the date of expiry of the hosting agreement referred to in Article 5 or the date on which the organisation informs the Member State of an event rendering it impossible to implement the hosting agreement in accordance with Article 5(4), for as long as the researcher has not left the territory of the European Union

of the researchers it hosts and to issue them with the statement referred to in Article 5(3). The research organisation shall remain responsible for these costs for **six months** after the date of expiry of the hosting agreement referred to in Article 5 or the date on which the organisation informs the Member State of an event rendering it impossible to implement the hosting agreement in accordance with Article 5(4), for as long as the researcher has not left the territory of the European Union.

Justification

It is felt that the establishment of financial responsibility for a period of a year would be an unfair and disproportionate obligation for the research organisations.

Amendment 14 Article 4, paragraph 7

7. Within two months of the date of expiry of the hosting agreements concerned, the approved research organisations shall provide the authority designated for the purpose by the Member States with confirmation that the work has been carried out for each of the research projects in respect of which they have signed a hosting agreement pursuant to Article 5.

7. Within two months of the date of expiry of the hosting agreements concerned, the approved research organisations shall provide the authority designated for the purpose by the Member States with confirmation that the work has been carried out for each of the research projects in respect of which they have signed a hosting agreement pursuant to Article 5. ***The competent authority is expected to possess sufficient expertise to monitor in basic terms the successful execution of the work.***

Justification

The ability of the competent authority to verify in basic terms the successful completion of the research work carried out under a hosting agreement will enhance the credibility of the scheme.

Amendment 15 Article 4, paragraph 9

9. A Member State may refuse to renew or decide to withdraw the approval of a

9. A Member State may refuse to renew or decide to withdraw the approval of a

research organisation which no longer meets the conditions laid down in paragraphs 2 to 7 or which has signed a hosting agreement with a third-country national in respect of whom the Member State has applied Article 8(1). Where approval has been refused or withdrawn or where it has not been renewed on the basis of Article 8(1), the organisation concerned may not reapply for approval before five years from the date of publication of the decision on withdrawal or non-renewal.

research organisation which no longer meets the conditions laid down in paragraphs 2 to 7 or which has signed a hosting agreement with a third-country national in respect of whom the Member State has applied Article 8(1). Where approval has been refused or withdrawn or where it has not been renewed on the basis of Article 8(1), the organisation concerned may not reapply for approval before five years from the date of publication of the decision on withdrawal or non-renewal. ***Research organisations will not be held responsible for violations of the conditions specified in Article 6(a) and (d) unless there are grounds for suspecting their collusion in unlawful acts of the researcher.***

Justification

Research organisations should not be obliged to check compliance with conditions which clearly exceed their competences and lie within the remit of the competent authorities of the Member States.

Amendment 16 Article 5, paragraph 4

4. The hosting agreement shall automatically lapse if the legal relationship between the researcher and the research organisation is terminated. Research organisations shall promptly inform the authority designated for the purpose by the Member States of any occurrence likely to prevent implementation of the agreement.

4. The hosting agreement shall automatically lapse if the legal relationship between the researcher and the research organisation is terminated. ***In such cases and if the researcher is in possession of a valid passport or equivalent travel document and does not constitute a threat to public policy, public security or public health, the residence permit shall remain effective for a period up to three months allowing the researcher to apply for and conclude a new hosting agreement.*** Research organisations shall promptly inform the authority designated for the purpose by the Member States of any occurrence likely to prevent implementation of the agreement.

Justification

The article, as proposed by the Commission, cancels the advantage of mobility for the researchers in question. Our goal should not be only to facilitate admission of researchers, but also to keep them in the EU and the ERA. Therefore, we should provide for adequate time for third-country researchers to apply in loco after completion of the project for which they have been initially admitted.

Amendment 17

Article 7

Duration of residence permit

Member States shall issue a residence permit for one year ***or more and shall renew it annually if the conditions laid down in Articles 5 and 6 are still met. If the research project is scheduled to last less than one year, the residence permit shall be issued for the duration of the project.***

Residence permits and visas

Member States shall issue a residence permit for ***a minimum period of one year. If the research project is scheduled to last more than one year, the residence permit shall be issued for the duration of the project.***

Member States shall grant residence permits to the family members of a researcher on request. The duration of validity of such residence permits shall be the same as that of the residence permit issued to the researcher, insofar as the period of validity of the travel documents of the family member permits. Short-term three-month visas shall also be granted to the researcher's relations and close friends where vouched for by the researcher.

Justification

The article as proposed by the Commission contradicts the main objective of the proposal for a Directive and would lead to unnecessary bureaucracy and waste of time, particularly in the light of the safeguards provided in Article 8. The idea is to simplify procedures for researchers as far as possible. It seems logical to base the period of validity of the residence permit on the duration of the agreement, while guaranteeing a minimum residence period of one year.

In order to attract researchers to locate in the EU, it is moreover essential to make it easier for close family members to relocate with them and for the same length of time. The researcher's extended family and friends should be permitted to visit for short periods without being subject to unwarranted red tape, difficulties at immigration or even refused entry. The researcher will, however, be required to be responsible in terms of financial support and security for any short-term visitors.

Amendment 18
Article 13, paragraph 1

1. A holder of a residence permit issued under this Directive may, under cover of the permit together with a valid passport or equivalent travel document, conduct part of his research project on the territory of another Member State, provided the latter does not regard him as a threat to public policy, public security or public health. If necessary, bearing in mind the time needed to conduct this part of the research, a new hosting agreement shall be signed, on the basis of which the researcher shall be issued a residence permit in the second Member State.

1. A holder of a residence permit issued under this Directive may, under cover of the permit together with a valid passport or equivalent travel document, conduct part of his research project on the territory of another Member State, provided the latter does not regard him as a threat to public policy, public security or public health. If necessary, bearing in mind the time needed to conduct this part of the research, a new hosting agreement shall be signed, on the basis of which the researcher shall be issued a residence permit in the second Member State. ***Member States shall not require the researcher to leave their territory in order to submit an application for a visa or a residence permit.***

Justification

This additional provision is necessary in order to guarantee the right to apply in loco and foster mobility.

Amendment 19
Article 13, paragraph 2 a (new)

2a. During the period of validity of his residence permit, the researcher may apply for a new hosting agreement in the same or another Member State. The new application shall be treated by a simplified procedure, which does not include examination of the condition stipulated in Article 5(2)(a)(ii), provided that the initial research organisation provides written confirmation that the work has been carried out satisfactorily up to the time of submission of the new application.

Justification

This additional provision is necessary in order to facilitate the passage of third-country

researchers from one research programme that has been completed to another one taking place in the same or a different Member State, thus enhancing researcher mobility.

Amendment 20
Article 15, paragraph 1

1. The relevant authorities in the Member State shall notify the applicant in writing, in accordance with the notification procedures laid down in the relevant national legislation, of their decisions regarding his application for admission or for the renewal of his residence permit at the latest within 30 days of the date on which the application was submitted. Member States shall lay down in national legislation the consequences for the authorities concerned of failing to take a decision by this deadline. In exceptional cases involving complex applications, the deadline may be extended.

1. The relevant authorities in the Member State shall notify the applicant in writing, in accordance with the notification procedures laid down in the relevant national legislation, of their decisions regarding his application for admission or for the renewal of his residence permit at the latest within 30 days of the date on which the application was submitted. Member States shall lay down in national legislation the consequences for the authorities concerned of failing to take a decision by this deadline. In exceptional cases involving complex applications, the deadline may be extended, ***but in no case by more than an additional 30 days. The applicant shall receive full justification for any such extension.***

Justification

This additional provision is necessary in order to avoid that such a possibility (as initially proposed) is applied by Member State authorities excessively, leading to unnecessary delays in admissions.

Amendment 21
Article 17

Each Member State shall ensure that the most comprehensive information possible, regularly kept up to date, is made publicly available, via the internet in particular, on the research organisations, approved under Article 4, with which researchers may conclude a hosting agreement, and on the conditions and procedures for entry and residence on its territory for the purposes of conducting research, as adopted under this Directive.

Each Member State shall ensure that the most comprehensive information possible, regularly kept up to date, is made publicly available, via the internet in particular, on the research organisations, approved under Article 4, with which researchers may conclude a hosting agreement, and on the conditions and procedures for entry and residence on its territory for the purposes of conducting research, as adopted under this Directive. ***Member States may require the hosting organisations to publish a list of***

the researchers admitted. Such a list shall contain only the information necessary for the unambiguous identification of the researchers.

Justification

This additional provision will contribute to the required transparency.

PROCEDURE

Title	Proposal for a Council directive on a specific procedure for admitting third-country nationals for purposes of scientific research
References	COM(2004)0178 – C6-0011/2004 – 2004/0061(CNS)
Committee responsible	LIBE
Committee asked for its opinion Date announced in plenary	ITRE 15.9..2004
Enhanced cooperation	No
Drafts(wo)man Date appointed	Nikolaos Vakalis 7.10.2004
Discussed in committee	23.11.2004 18.1.2005 21.2.2005
Date amendments adopted	21.2.2005
Result of final vote	for: 42 against: 0 abstentions: 0
Members present for the final vote	Šarūnas Birutis, Jan Březina, Renato Brunetta, Jerzy Buzek, Joan Calabuig Rull, Pilar del Castillo Vera, Giles Chichester, Gianni De Michelis, Lena Ek, Nicole Fontaine, Adam Gierek, András Gyürk, David Hammerstein Mintz, Ján Hudacký, Romana Jordan Cizelj, Werner Langen, Anne Laperrouze, Pia Elda Locatelli, Angelika Niebler, Reino Paasilinna, Pier Antonio Panzeri, Herbert Reul, Paul Rübig, Britta Thomsen, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis
Substitutes present for the final vote	Daniel Caspary, Dorette Corbey, Neena Gill, Norbert Glante, Edit Herczog, Peter Liese, Toine Manders, Lambert van Nistelrooij, Vittorio Prodi, John Purvis, Manuel António dos Santos, Esko Seppänen, Alyn Smith, Hannes Swoboda
Substitutes under Rule 178(2) present for the final vote	

22.2.2005

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council recommendation to facilitate the admission of third-country nationals to carry out scientific research in the European Community (COM(2004)0178 – C6-0012/2004 – 2004/0062(CNS))

Draftsman: Nikolaos Vakalis

SHORT JUSTIFICATION

I. Summary of the proposal

The present proposal for a Council recommendation forms part of a threefold legal instrument (one directive and two recommendations) aiming at facilitating the admission of third-country researchers in the EU for the purposes of fostering research and innovation within the Union.

On the one hand and in light of the proposal for a directive on admission of third-country nationals to carry out scientific research in the EU [2004/0061 (CNS)], the present recommendation calls on the Member States to adopt a number of practical measures pending transposition and full implementation of the aforementioned directive into national law.

On the other hand and independently of the proposed directive, the proposed recommendation covers areas which are not dealt with in the proposal for a directive, e.g., family reunification and operational cooperation between Member States and the Commission.

II. Draftsman's comments

Your draftsman would like to welcome the present proposal and encourage the Member States to implement the whole set of its provisions.

Given the limited timeframe for achieving the Lisbon objectives (to turn, namely, the European Union into the most competitive knowledge-based economy in the world by 2010),

Member States need to take **immediate** measures if they still intend to meet the Lisbon targets within the set timeframe. Transposition and full implementation of the directive's provisions involves unavoidably a lengthy process. It is therefore necessary that Member States act without any delay and introduce in advance as many measures as possible, so that admission of third-country researchers is facilitated in the meantime as early as possible.

Your draftsman believes that a large number of bureaucratic procedures, linked to the admission of third-country nationals in the EU and currently applied in the Member States, significantly affect the Union's attractiveness to distinguished and highly qualified researchers from third countries. It is therefore necessary that Member States acknowledge this situation and fully follow the proposed recommendations, i.e., abolish work permits, do not apply any quota or time-restrictions for third-country nationals applying for research posts, simplify and speed up the issue of residence permits.

In the same context, the draftsman particularly welcomes the designation of contact persons for the admission of researchers from third countries in the competent ministries (immigration and research) and embassies of all Member States. Such a measure would be extremely helpful for the main stakeholders involved (researchers and research organisations) and may at the same time be a means for improving the efficiency of the system.

Difficulties in bringing family members along when third-country nationals consider settling in Europe for research purposes may be a serious disincentive for moving to Europe. In addition, and especially in light of the adoption of Directive 2003/86 of 22 September 2003 on the right to family reunification, it seems necessary that Member States facilitate such admission if the person applying for reunification is a researcher. They should, parallel to that, ensure that family members receive the most favourable treatment given to third-country nationals (e.g., with respect to the conditions and speed of admission, options to work, requirements for issuing residence permits, etc.). In that context and because of the significance of the issue, the draftsman would welcome inclusion of a relevant provision under the respective directive.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 Paragraph 1, point (c)

c) guarantee third-country nationals the

c) guarantee third-country nationals the

¹ Not yet published in OJ.

possibility of working as a researcher without any maximum time limit, save where *an exception is justified by the needs of the researchers' country of origin*;

possibility of working as a researcher without any maximum time limit, save where *the third-country national in question is not in possession of a valid passport or equivalent travel document or constitutes a threat to public policy, public security or public health*;

Justification

The provision as proposed by the Commission does not ensure the required clarity and precision of the legal text.

Amendment 2
Paragraph 2, point (b)

b) guarantee third-country nationals working as researchers that their residence permits will be renewed indefinitely, save where *an exception is justified by the needs of the researchers' country of origin*;

b) guarantee third-country nationals working as researchers that their residence permits will be renewed indefinitely, save where *the third-country national in question is not in possession of a valid passport or equivalent travel document or constitutes a threat to public policy, public security or public health*;

Justification

The provision as proposed by the Commission does not ensure the required clarity and precision of the legal text.

Amendment 3
Paragraph 4, point (d)

d) designate a contact person within the ministry that deals with research who would be responsible for the admission of researchers from third countries;

d) designate a contact person within the ministry that deals with research *and innovation* who would be responsible for the admission of researchers from third countries;

Justification

Member States should ensure that the proposed mechanism (special admission procedures for third-country researchers) will in particular favour the private sector and ensure that mechanisms helping the private sector to invest in research and innovation are in place.

PROCEDURE

Title	Proposal for a Council recommendation to facilitate the admission of third-country nationals to carry out scientific research in the European Community
References	COM(2004)0178 – C6-0012/2004 – 2004/0062(CNS)
Committee responsible	LIBE
Committee asked for its opinion Date announced in plenary	ITRE 15.9..2004
Enhanced cooperation	No
Drafts(wo)man Date appointed	Nikolaos Vakalis 7.10.2004
Discussed in committee	23.11.2004 18.1.2005 21.2.2005
Date amendments adopted	21.2.2005
Result of final vote	for: 40 against: 0 abstentions: 0
Members present for the final vote	Šarūnas Birutis, Jan Březina, Renato Brunetta, Jerzy Buzek, Joan Calabuig Rull, Pilar del Castillo Vera, Giles Chichester, Gianni De Michelis, Lena Ek, Nicole Fontaine, Adam Gierek, András Gyürk, Fiona Hall, David Hammerstein Mintz, Ján Hudacký, Romana Jordan Cizelj, Werner Langen, Anne Laperrouze, Pia Elda Locatelli, Angelika Niebler, Reino Paasilinna, Herbert Reul, Paul Rübig, Britta Thomsen, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis
Substitutes present for the final vote	Daniel Caspary, Neena Gill, Norbert Glante, Edit Herczog, Peter Liese, Lambert van Nistelrooij, Vittorio Prodi, John Purvis, Manuel António dos Santos, Esko Seppänen, Alyn Smith, Hannes Swoboda
Substitutes under Rule 178(2) present for the final vote	

22.2.2005

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a European Parliament and Council recommendation to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the European Community for the purpose of carrying out scientific research (COM(2004)0178 – C6-0013/2004 – 2004/0063(COD))

Draftsman: Nikolaos Vakalis

SHORT JUSTIFICATION

I. Summary of the proposal

The present proposal for a Council recommendation forms part of a threefold legal instrument (one directive and two recommendations) aiming at facilitating the admission of third-country researchers in the EU for the purposes of fostering research and innovation within the Union.

The proposed recommendation aims, in particular, at facilitating entry and mobility conditions for third-country researchers who wish to circulate within the EU for short-time periods (up to three months), **whether** these wish to be acquainted with scientific research programmes undertaken within the European Community **or** participate in such European projects for a short period of time **or** if they wish to take part in specific events (conferences or seminars).

II. Draftsman's comments

Your draftsman would like to welcome the present proposal and encourage the Member States to implement the whole set of its provisions.

It is particularly important to proceed rapidly with the implementation of the proposed recommendations in order to enhance the role of Europe as a worldwide leader in the field of research and promote the role of the European Research Area at an international level.

Your draftsman especially welcomes the issue of multiple entry visas, as he feels that this is an instrument which can significantly facilitate frequent travelling of third-country (especially highly qualified and renowned) researchers to Europe and enhance mobility of the latter within the Union. It is a flexible formula and particularly attractive to researchers who wish to maintain professional links to the organisations of their country of origin.

Your draftsman believes that, at a future point in time, the proposed recommendations should be reflected in a Community legal instrument of binding character.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1
Recital 13 a (new)

(13a) The recommendation is also intended to provide a flexible formula for researchers who wish to maintain a professional link with an organisation of their country of origin (e.g. by spending periods of up to three months every semester in a European host research organisation located in the common area while continuing to work the rest of the time in the research organisation of origin).

Justification

Such an option must be given if Europe wishes to be competitive and attractive at world level.

Amendment 2
Paragraph 6

6. undertake to supply the Commission, one year after the adoption of the

6. undertake to supply the Commission, one year after the adoption of the

¹ Not yet published in OJ.

recommendation, with information about best practices adopted to facilitate the issue of uniform visas for researchers, to enable it to evaluate the progress made.

recommendation, with information about best practices adopted to facilitate the issue of uniform visas for researchers, to enable it to evaluate the progress made. ***Having regard to whether Directive .../.../EC on a specific procedure for admitting third-country nationals for purposes of scientific research has been adopted, and to the outcome of the evaluation, the possibility of incorporating the provisions of this Recommendation in an appropriate legally binding instrument will be examined.***

Justification

Notwithstanding the proportionality principle and as the proposed provisions have the potential to significantly contribute to enhancing Europe's role as a research 'pole' at international level, it is desirable that these provisions are incorporated into a binding Community legal instrument in the future.

PROCEDURE

Title	Proposal for a European Parliament and Council recommendation to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the European Community for the purpose of carrying out scientific research		
References	COM(2004)0178 – C6-0013/2004 – 2004/0063(COD)		
Committee responsible	LIBE		
Committee asked for its opinion Date announced in plenary	ITRE 15.9.2004		
Enhanced cooperation	No		
Drafts(wo)man Date appointed	Nikolaos Vakalis 7.10.2004		
Discussed in committee	23.11.2004	18.1.2005	21.2.2005
Date amendments adopted	21.2.2005		
Result of final vote	for:	43	
	against:	0	
	abstentions:	0	
Members present for the final vote	Šarūnas Birutis, Jan Březina, Renato Brunetta, Jerzy Buzek, Joan Calabuig Rull, Pilar del Castillo Vera, Giles Chichester, Gianni De Michelis, Lena Ek, Nicole Fontaine, Adam Gierek, András Gyürk, David Hammerstein Mintz, Ján Hudacký, Romana Jordan Cizelj, Werner Langen, Anne Laperrouze, Pia Elda Locatelli, Eluned Morgan, Angelika Niebler, Reino Paasilinna, Pier Antonio Panzeri, Herbert Reul, Paul Rübig, Britta Thomsen, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis		
Substitutes present for the final vote	Daniel Caspary, Dorette Corbey, Neena Gill, Norbert Glante, Edit Herczog, Peter Liese, Toine Manders, Lambert van Nistelrooij, Vittorio Prodi, John Purvis, Manuel António dos Santos, Esko Seppänen, Alyn Smith, Hannes Swoboda		
Substitutes under Rule 178(2) present for the final vote			

PROCEDURE

Title	Proposal for a Council directive on a specific procedure for admitting third-country nationals for purposes of scientific research		
References	COM(2004)0178 – C6-0011/2004 – 2004/0061(CNS)		
Legal basis	Article 67 EC		
Basis in Rules of Procedure	Rule 51		
Date of consulting Parliament	7.4.2004		
Committee responsible Date announced in plenary	LIBE 15.9.2004		
Committee(s) asked for opinion(s) Date announced in plenary	ITRE 15.9.2004		
Not delivering opinion(s) Date of decision			
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Vincent Peillon 5.10.2004		
Previous rapporteur(s)			
Simplified procedure Date of decision			
Legal basis disputed Date of JURI opinion			
Financial endowment amended Date of BUDG opinion			
European Economic and Social Committee consulted Date of decision in plenary			
Committee of the Regions consulted Date of decision in plenary			
Discussed in committee	24.11.2004	10.1.2005	16.3.2005
Date adopted	16.3.2005		
Result of final vote	for:	39	
	against:	1	
	abstentions:	2	
Members present for the final vote	Alexander Nuno Alvaro, Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Maria Carlshamre, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Antoine Duquesne, Patrick Gaubert, Livia Járóka, Timothy Kirkhope, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Henrik Lax, Jaime Mayor Oreja, Claude Moraes, Athanasios Pafilis, Michele Santoro, Amalia Sartori, Inger Segelström, Ioannis Varvitsiotis, Manfred Weber, Stefano Zappalà, Tatjana Ždanoka		
Substitutes present for the final vote	Panayiotis Demetriou, Giovanni Claudio Fava, Ignasi Guardans Cambó, Jeanine Hennis-Plasschaert, Luis Francisco Herrero-Tejedor, Sylvia-Yvonne Kaufmann, Jean Lambert, Katalin Lévai, Vincent Peillon, Marie-Line Reynaud, Agnes Schierhuber, Bogusław Sonik		

Substitutes under Rule 178(2) present for the final vote	Christofer Fjellner, Tadeusz Zwiefka	
Date tabled – A6	1.4.2005	A6-0054/2005
Comments	...	

PROCEDURE

Title	Proposal for a Council recommendation to facilitate the admission of third-country nationals to carry out scientific research in the European Community		
References	COM(2004)0178 – C6-0012/2004 – 2004/0062(CNS)		
Legal basis	Article 67 EC		
Basis in Rules of Procedure	Rule 51		
Date of consulting Parliament	7.4.2004		
Committee responsible Date announced in plenary	LIBE 15.9.2004		
Committee(s) asked for opinion(s) Date announced in plenary	ITRE 15.9.2004		
Not delivering opinion(s) Date of decision			
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Vincent Peillon 5.10.2004		
Previous rapporteur(s)			
Simplified procedure Date of decision			
Legal basis disputed Date of JURI opinion			
Financial endowment amended Date of BUDG opinion			
European Economic and Social Committee consulted Date of decision in plenary			
Committee of the Regions consulted Date of decision in plenary			
Discussed in committee	24.11.2004	10.1.2005	16.3.2005
Date adopted	31.3.2005		
Result of final vote	for:	38	
	against:	0	
	abstentions:	2	
Members present for the final vote	Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Elly de Groen-Kouwenhoven, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Antoine Duquesne, Patrick Gaubert, Adeline Hazan, Lívia Járóka, Eva Klamt, Magda Kósáné Kovács, Wolfgang Kreissl-Dörfler, Stavros Lambrinidis, Romano Maria La Russa, Sarah Ludford, Jaime Mayor Oreja, Hartmut Nassauer, Martine Roure, Inger Segelström, Ioannis Varvitsiotis, Manfred Weber, Tatjana Ždanoka		
Substitutes present for the final vote	Frederika Brepoels, Panayiotis Demetriou, Gérard Deprez, Camiel Eurlings, Giovanni Claudio Fava, Ignasi Guardans Cambó, Jeanine Hennis-Plasschaert, Sophia in 't Veld, Vincent Peillon, Marie-Line Reynaud, Bogusław Sonik, Jan Zahradil		

Substitutes under Rule 178(2) present for the final vote	
Date tabled – A6	1.4.2005 A6-0054/2005
Comments	...

PROCEDURE

Title	Proposal for a European Parliament and Council recommendation to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the European Community for the purpose of carrying out scientific research		
References	COM(2004)0178 – C6-0013/2004 – 2004/0063(CNS)		
Legal basis	Articles 251(2) and 62(2)(b)(ii) EC		
Basis in Rules of Procedure	Rule 51		
Date of consulting Parliament	7.4.2004		
Committee responsible Date announced in plenary	LIBE 15.9.2004		
Committee(s) asked for opinion(s) Date announced in plenary	ITRE 15.9.2004		
Not delivering opinion(s) Date of decision			
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Vincent Peillon 5.10.2004		
Previous rapporteur(s)			
Simplified procedure Date of decision			
Legal basis disputed Date of JURI opinion			
Financial endowment amended Date of BUDG opinion			
European Economic and Social Committee consulted Date of decision in plenary			
Committee of the Regions consulted Date of decision in plenary			
Discussed in committee	24.11.2004	10.1.2005	16.3.2005
Date adopted	31.3.2005		
Result of final vote	for:	38	
	against:	0	
	abstentions:	2	
Members present for the final vote	Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Elly de Groen-Kouwenhoven, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Antoine Duquesne, Patrick Gaubert, Adeline Hazan, Livia Járóka, Eva Klamt, Magda Kósáné Kovács, Wolfgang Kreissl-Dörfler, Stavros Lambrinidis, Romano Maria La Russa, Sarah Ludford, Jaime Mayor Oreja, Hartmut Nassauer, Martine Roure, Inger Segelström, Ioannis Varvitsiotis, Manfred Weber, Tatjana Ždanoka		
Substitutes present for the final vote	Frederika Brepoels, Panayiotis Demetriou, Gérard Deprez, Camiel Eurlings, Giovanni Claudio Fava, Ignasi Guardans Cambó, Jeanine Hennis-Plasschaert, Sophia in 't Veld, Vincent Peillon, Marie-Line Reynaud, Bogusław Sonik, Jan Zahradil		

Substitutes under Rule 178(2) present for the final vote	
Date tabled – A6	18.3.2005 A6-0054/2005
Comments	...