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REPORT

on the initiative by the Kingdom of the Netherlands for adoption of a Council Decision on tackling vehicle crime with cross-border implications (5450/2004, 5216/2004 – C5-0056/2004 – 2004/0803(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Carlos Coelho

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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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the initiative by the Kingdom of the Netherlands for adoption of a Council Decision on tackling vehicle crime with cross-border implications (5450/2004, 5216/2004 – C5-0056/2004 – 2004/0803(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the initiative by the Kingdom of the Netherlands (5450/2004, 5216/2004)¹,
 - having regard to Article 34(2) of the EU Treaty,
 - having regard to Article 39(1) of the EU Treaty, pursuant to which the Council consulted Parliament (C5-0056/2004),
 - having regard to the Protocol integrating the Schengen acquis into the framework of the European Union, pursuant to which the Council consulted Parliament,
 - having regard to Rules 93 and 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 Transport and Tourism (A6-0052/2004),
1. Approves the initiative by the Kingdom of the Netherlands as amended;
 2. Calls on the Council to amend the text accordingly;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Calls on the Council to consult Parliament if it intends to amend the initiative by the Kingdom of the Netherlands substantially;
 5. Instructs its President to forward its position to the Council and Commission, and the government of the Kingdom of the Netherlands.

Text proposed by the Kingdom of the
Netherlands

Amendments by Parliament

Amendment 1
Citation 4

Having regard to the Council Resolution

deleted

¹ OJ C 34, 7.2.2004, p. 18.

of 27 May 1999 on combating international crime with fuller cover of the routes used,

Justification

The purpose of the citations at the beginning of the preamble is to set out the legal basis and the main steps of the procedure. It is not the place to cite other resolutions.

Amendment 2

Recital 1

(1) An estimated 1,2 million motor vehicles are stolen each year in the Member States of the European Union. ***deleted***

Justification

The rapporteur is of the opinion that the recitals should be worded more generally. Concrete figures, however, are then given in the explanatory statement.

Amendment 3

Recital 2

(2) These thefts involve considerable damage amounting to at least EUR 15 billion per year. ***(2) Vehicle crime is a cross-border phenomenon of very serious dimensions involving considerable economic damage.***

Justification

See justification for amendment on recital 1.

Amendment 4

Recital 3

(3) A large proportion of these vehicles, estimated at 30 to 40%, are stolen by organised crime and then converted and exported to other States within and outside ***(3) A large proportion of vehicles stolen in the Member States of the European Union are stolen by organised crime and then converted and exported to other States***

the European Union.

within and outside the European Union.

Justification

See justification for amendment on recital 1.

Amendment 5

Recital 6

(6) Vehicle crime may also be linked internationally to other forms of crime, such as trafficking in drugs, firearms and human beings.

(6) Vehicle crime may also be linked internationally to other forms of crime, such as trafficking in drugs, firearms and human beings, ***robbery and the theft of vehicle loads***.

Justification

Robbery and theft of vehicle loads should also be explicitly mentioned.

Amendment 6

Recital 9

(9) Cooperation between ***police forces, customs and vehicle registration*** authorities is of particular importance, as is the provision of information to the relevant parties.

(9) Cooperation between ***national competent*** authorities is of particular importance, as is the provision of information to the relevant parties.

Justification

Parliament considers vehicle registration to fall under the first pillar. Therefore it cannot be part of a third pillar initiative¹.

¹ See for example the proposal for a regulation of the European Parliament and of the Council amending the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders as regards access to the Schengen Information System by the services in the Member States responsible for issuing registration certificates for vehicles (COM(2003)0510).

Amendment 7
Recital 9 a (new)

(9a) Close cooperation between national competent authorities and public and private organisations which have already established effective procedures for tackling vehicle crime should be actively encouraged.

Justification

Many pan-European bodies as well as private organisations have established registration systems already. Stakeholders benefit from such consistent rules which are already in force, hence close cooperation should form part of the basis for action.

Amendment 8
Recital 13 a (new)

(13a) The Commission should devise a comprehensive plan of action to prevent and combat international vehicle crime involving vehicles and their loads. This plan should contain an outline of the various legislative acts necessary to address the problem.

Amendment 9
Article 2, paragraph 2

2. Particular attention shall be given to the relationship between vehicle theft and the illegal **car** trade and other forms of crime, such as trafficking in drugs, firearms and human beings.

2. Particular attention shall be given to the relationship between vehicle theft and the illegal **vehicle** trade and other forms of crime, such as trafficking in drugs, firearms and human beings, **robbery and the theft of vehicle loads**.

Justification

Consistent with the language used throughout the text. Robbery and theft of vehicle loads should also be explicitly mentioned.

Amendment 10
Article 3, paragraph 1

Member States shall take the necessary steps to enhance mutual cooperation between national competent authorities (***police, customs and vehicle registration authorities***) in order to combat cross-border vehicle crime, inter alia by means of cooperation agreements.

Member States shall take the necessary steps to enhance mutual cooperation between national competent authorities in order to combat cross-border vehicle crime, inter alia, by means of cooperation agreements.

Justification

See justification for amendment on recital 9.

Amendment 11
Article 4, paragraph 1

1. Member States shall take the necessary steps to organise periodic consultations between law enforcement agencies and vehicle registration authorities and the private sector (such as holders of private registers of missing vehicles, insurers and the ***car*** trade) with a view to coordination of information and mutual alignment of activities in this area, preferably via a permanent consultation platform.

1. Member States shall take the necessary steps to organise periodic consultations between law enforcement agencies and vehicle registration authorities and the private sector (such as holders of private registers of missing vehicles, insurers and the ***vehicle*** trade) with a view to coordination of information and mutual alignment of activities in this area, preferably via a permanent consultation platform.

Justification

Consistent with the language used throughout the text.

Amendment 12
Article 5, paragraph 2

2. Member States shall authorise the contact points to exchange experience, expertise as well as general and technical information concerning vehicle crime on the basis of existing legislation.

2. Member States shall authorise the contact points to exchange experience, expertise as well as general and technical information concerning vehicle crime on the basis of existing legislation.

Information exchange shall extend to methods and best practices of prevention of vehicle crime. Such exchanges shall not include exchanges of personal data.

Justification

This addition is contained in doc. 7839/4/04. To underline the importance that the Parliament attaches to data protection, it is introduced here as well.

Amendment 13
Article 5, paragraph 3

3. Information concerning the designated national contact points, including subsequent changes, shall be notified to ***the General Secretariat of the Council*** for publication in the Official Journal of the European Union.

3. Information concerning the designated national contact points, including subsequent changes, shall be notified to the Council for publication in the Official Journal of the European Union.

Justification

In a legal text, one refers always to the institution as such and not to its secretariat.

Amendment 14
Article 6, paragraph 1

1. Whenever a vehicle is reported stolen, Member States' law enforcement agencies shall immediately enter a stolen vehicle alert in the Schengen Information System (SIS) and – where possible – in Interpol's ASF/Stolen Motor Vehicle System. ***deleted***

Justification

The Convention implementing the Schengen agreement already provides for the entry of stolen vehicles into the SIS (Article 100.3). Article 94.1, however, leaves Member States with discretion whether they consider the case important enough to warrant entry. The Schengen Implementing Convention should not be changed by this text.

Amendment 15
Article 6, paragraph 2

**2. An alert in the search register shall be *deleted*
immediately withdrawn by the Member
State which issued it as soon as the reason
for issuing an alert on the vehicle ceases
to exist or its owner withdraws the theft
report.**

Justification

According to Article 105 of the Convention implementing the Schengen agreement, Member States already have the obligation to keep data "up-to-date".

Amendment 16
Article 6, paragraph 3

**3. Whenever blank registration *deleted*
certificates are reported stolen, Member
States' law enforcement agencies shall
immediately enter an alert thereon in the
SIS.**

Justification

Blank official documents are as well already entered into the SIS with the same discretion applying as mentioned in the justification for the amendment on paragraph 1 of this article.

Amendment 17
Article 7

Article 7 *deleted*

Registration

**1. Law enforcement agencies and vehicle
registration authorities shall take the
necessary steps to prevent abuse and theft
of vehicle registration documents.**

2. When (re-)registering a vehicle,

national vehicle registration authorities shall, in cooperation with the law enforcement agencies, consult the vehicle register of the country of original registration as well as the stolen vehicle search registers referred to in Article 6.

3. In order to prevent stolen vehicles being (re-)registered, arrangements shall be made at national level for consultation or linkage of the registration systems referred to in Article 6(1) and also for checking the identity of the vehicles.

Justification

See justification for amendment on recital 9.

Amendment 18 Article 8, paragraph 1

1. In order to prevent abuse of vehicle registration certificates, **law enforcement agencies shall – where possible –** recover a vehicle owner's or vehicle holder's registration certificate if the vehicle has been seriously damaged in an accident (total loss).

1. In order to prevent abuse of vehicle registration certificates, **each Member State shall ensure that its national competent authorities take the necessary steps, in accordance with national law, to** recover a vehicle owner's or vehicle holder's registration certificate if the vehicle has been seriously damaged in an accident (total loss).

Amendment 19 Article 9

Article 9

deleted

Europol

Law enforcement agencies shall keep Europol informed on vehicle crime perpetrators (perpetrator groups), within the scope of the latter's mandate and tasks.

Justification

This obligation already exists as well.

Amendment 20
Article 12

Article 12

deleted

Arrangements with third countries

1. Partnership or cooperation agreements to be concluded between the European Union and third countries shall as far as possible include a provision concerning vehicle crime, and more particularly concerning the verification of vehicles upon registration in a third country where the vehicles originate in one of the Member States.

2. At the request of the third country for verification of vehicles, the Member State in question shall consult the National Schengen Information System as well as the vehicle registration authority of that Member State.

Justification

Such declarations of intentions should not be part of a legal text. This is a matter that needs to be dealt with when the EU in fact negotiates agreements.

EXPLANATORY STATEMENT

I. Context

Vehicle crime is a very serious problem which needs to be tackled. Statistics provided by Europol reveal that in 2002 1.149.114 vehicles were stolen of which only 388.779 could be recovered. Although such statistics have to be always treated with caution and although no signs for increases exist, it is definitively a major problem that requires action. It is however not only this size of the problem but also the nature of the crime which is worrying: Since car theft is very lucrative and usually not very risky it is very often organised and is also related to other forms of crimes. In recent years - due to the improved technical anti-theft measures - this type of crime became more and more violent (carjacking, "home-jacking" and "showroom-jacking").

The increase in the figures for vehicle theft in the years up to 1993 can according to Europol largely be attributed to the abolition of internal border controls. It is therefore clearly a matter that should also be dealt with at the European level. Since many citizens are victims of car theft there it is an important and urgent challenge for the EU to find appropriate solutions.

A lot of analytical and legislative work has been carried out in recent years. Analytical work has in particular been undertaken in the framework of the police cooperation working party in Council in which the Netherlands had been particular active. Their note on vehicle crime of July 2001 (doc. 11222/01) gives a comprehensive list of proposals for the suppression of vehicle crime. This list clearly demonstrates that this type of crime needs to be addressed from many different sides. Their proposals include inter alia strengthening cooperation between all relevant actors, enhancing intelligence, technical preventive measures and cooperation with third countries. In the follow-up detailed recommendations were developed, the most recent update of which were published in November 2003 (doc. 14319/03). A detailed working document of the Commission services of October 2002 (doc. 12629/02) also gives a list of measures that would need to be undertaken. On the legislative side Directive 95/56/EC concerning immobilisers for passenger cars and the proposal of the Commission for giving access to the Schengen Information System (SIS) for vehicle registration authorities (COM(2003)510) constitute important developments.

In its first reading on the latter proposal (P5_TA(2004)0266 of 1 April 2004), the Parliament took the position that vehicle registration authorities as administrative authorities should exceptionally be granted direct access to the SIS although Article 102.4 of the Convention implementing the Schengen agreement states that "[d]ata may not be used for administrative purposes." The two main arguments for giving this direct access were efficiency and transparency. Furthermore, Parliament underlined that it was not willing to give any direct access to the SIS to private entities even if they perform similar tasks than public authorities, like in the case of vehicle registration.

II. The present initiative

The present "Initiative of the Kingdom of the Netherlands with a view to adopting a Council Decision on tackling vehicle crime with cross-border implications" builds on the analytical

work undertaken and aims to achieve legal bindingness of some of the recommendations developed. It contains specific proposals as regards the cooperation between national competent authorities as well as with the private sector, the creation of vehicle crime contact points and regular meetings of them, the issuing of alerts for stolen vehicles and blank registration certificates, registration, the prevention of abuse of vehicle registration certificates, Europol, the promotion of expertise and training and arrangements with third countries.

The initiative (doc. 5450/04) including a document explaining it (doc. 5216/04) was transmitted to Parliament in February this year which left too little time for Parliament to deal with it before the elections. Since then the original text as submitted to Parliament was subject to considerable change by the police cooperation working party in Council. The rapporteur is aware of these changes as they are contained in document 7839/4/04 of 22 July 2004. Since no more up-to-date version was transmitted to Parliament the original text remains the official reference text.

III. Position of the rapporteur

The rapporteur shares the concerns about vehicle crime and the objective to fight it. Citizens do expect that the EU delivers on issues that are of great concern to them. He therefore welcomes the initiative of the Netherlands to move forward on this even if it is a small step.

The initiative indeed does not contain many new elements. The real concrete step forward is the creation of national contact points for tackling cross-border vehicle crime in each Member State which shall then be authorised "to exchange experience, expertise as well as general and technical information concerning vehicle crime". "Methods and best practices of prevention of vehicle crime" shall also be exchanged (Article 5). These contact points will also have regular meetings at least once a year (Article 11). The rapporteur also welcomes the promotion of expertise and training in the field of vehicle crime prevention and detection (Article 10). Other aspects are not new and are already contained in other legal texts. This concerns in particular the provisions as regards the entry of alerts into the SIS or the transmission of information to Europol. If problems exist in these areas then they are implementation problems which need to be solved by appropriate means. They cannot be solved by using again a legal instrument. By looking at the latest version of the text (doc. 7839/4/04) it is also striking to see how many times the words "in accordance with national law" were added to the text. Not much binding agreement can be found in such a way. In addition, the proposals made here - although they mainly contain already existing provisions - also change them. As regards the entry of stolen vehicles in the SIS, for example, the existing legal requirements leave Member States with a discretion whether to introduce an alert or not and do not specify a time when to do so. The present proposal, however, would make the entry an obligation to be carried out "immediately". The rapporteur is of the opinion that if the Schengen implementing convention should be changed that this should be stated very clearly. Otherwise there is a great risk of legal intransparency (with the text of the convention as such, further texts changing it and additional text that change the convention without saying so).

The inclusion of vehicle registration in this third pillar initiative is something that the rapporteur strongly objects to. He is of the opinion that everything related to vehicle

registration and vehicle registration authorities is a matter of the first pillar like in the case of the proposal of the Commission for giving access to the SIS for vehicle registration authorities (COM(2003)510). He tables therefore amendments deleting all reference to vehicle registration. He also expresses his concern that the latest text version examined by him (doc. 7839/4/04) still contains references to vehicle registration. As regards the ongoing discussion in Council of the Commission's proposal to give SIS access to vehicle registration authorities, he urges Council to adopt its common position without delay.

Another group of amendments simply tries to improve the quality of the legal text, in particular where this has not been made in doc. 7839/4/04.

To make the position of the Parliament known certain amendments contain changes similar to those made in the course of the discussions in Council.

The rapporteur finally recommends that the Commission intensifies its work related to vehicle crime. It could be envisaged for example that the Commission takes up the analytical work undertaken so far in a White Paper. In such a White Paper the Commission could outline all the different legal acts necessary to address the problem of vehicle crime. It is evident that an objective like fighting against vehicle crime can only be achieved by using a variety of legal instruments with different legal basis.

25.11.2004

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on Civil Liberties, Justice and Home Affairs

on the initiative by the Kingdom of the Netherlands for adoption of a Council Decision on tackling vehicle crime with cross-border implications
(5450/2004, 5216/2004 - C5-0056/2004 - 2004/0803(CNS))

Draftsman: Emanuel Vasconcelos Jardim Fernandes

SHORT JUSTIFICATION

INTRODUCTION

The subject of cross-border crime is not a new one. It has already been addressed within a wider context than the EU, including at a meeting of the European Conference of Ministers of Transport (ECMT) held in Berlin on 21 and 22 April 1997, at which Resolution no 97/2 on crime in international transport was adopted.

The meeting in question was held just after the Temporary Committee of Inquiry into the Community Transit System had completed its work and presented its conclusions to the plenary in April 1997 (rapporteur: Mr Kellet-Bowman <http://www.europarl.eu.int/auditions>). Those conclusions essentially relate to HGV freight, but certain weaknesses in the system (see comment no 3) and procedures are also applicable to cars and more particularly HGVs that fall within the competence of the Committee on Transport and Tourism.

More recently, governments have taken a number of initiatives aimed at strengthening collaboration between the competent departments and services in the Member States with a view to curbing vehicle crime.

Your draftsman also notes that the procedure for introducing a regulation on direct access to the Schengen Information System by the services in the Member States responsible for issuing registration certificates for vehicles (COM(2003) 0510 - C5-0412/2003) is making good progress. Once such access has been introduced, it will be the key element, and a crucial instrument, in numerous judicial and police activities on an EU scale.

RAPPORTEUR'S COMMENTS

1. The cross-border dimension of the type of crime referred to in the proposal for a Council decision should relate to movement of cars both within the EU and between the EU and third countries.

2. The solution to the problem resides not merely in cooperation between EU Ministers of Justice or Internal Affairs, but also requires the involvement of their counterparts in Transport and of ECMT Ministers, who have already taken stock of the problems in their Resolution no 97/2.
3. Better cooperation at the judicial and police level is desirable, but initially it is the 'watertight' nature of registration systems which is the decisive factor. Such systems have for the most part been established and managed by pan-European bodies, such as the UNECE and the OECD in collaboration with, for example, the IRU. One of the weaknesses of such systems is that they are 'paper-based', which is an easy medium to falsify. IT-based systems, which are now being used more and more, are far more secure both for vehicles and their loads. However, IT access remains a very delicate issue.
4. Computer-based systems are even more effective when the different national systems are linked in a network or shared, as will be the case with the Schengen Information System (SIS) to which, under the Commission proposal (COM(2003) 0510), the national authorities responsible for issuing registration certificates will have access. Your draftsman agrees with the reservations voiced in the report by Mr Coelho adopted at first reading by the European Parliament (A5-205/2004), which recommends that the authorities limit access to the SIS solely to the police and vehicle registration authorities.
5. The quality of systems is of paramount importance in your draftsman's view, and more than police or other controls - which, thanks to the use of IT, may be reduced to a minimum in the transport sector - helps prevent fraud.
6. Preventing theft of vehicles and their loads is of course of the essence. The authorities could help resolve this aspect of the problem by providing protected and supervised parking areas and by paying the greatest possible attention to theft and crime prevention aspects in the training of HGV drivers.
7. Your draftsman is of the view that, in order to implement in practice measures that are outlined in very vague terms in the Council document, steps need to be taken not only under the third pillar but also under the first pillar (European Community) and the second pillar (CFSP). Your draftsman wishes to refer, for example, to the training of HGV drivers (with, for example, a crime prevention section under point 3.2 of Annex I to Directive 2003/59/EC amending Regulation (EEC) No 3820/85 - COD/2001/0033), or to the procedure currently at the first reading stage on driving licences (COM(2003)0621) and the issue, validity and renewal thereof (repealing Directive 91/439/EEC).

As regards cooperation with third countries and international organisations, it is also clear that certain second pillar procedures should be applied. Your draftsman therefore questions whether the legal basis proposed is adequate and complete.

AMENDMENTS

The Committee on Transport and Tourism 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 Council	Amendments by Parliament
(1) An estimated 1,2 million <i>motor</i> vehicles are stolen each year in the Member States of the European Union.	<p data-bbox="703 465 887 533">Amendment 1 Recital 1</p> <p data-bbox="842 568 1374 712">(1) An estimated 1,2 million <i>passenger</i> vehicles and numerous HGVs are stolen each year in the Member States of the European Union.</p>
(6) Vehicle crime may also be linked internationally to other forms of crime, such as trafficking in drugs, firearms and human beings.	<p data-bbox="687 887 908 954">Amendment 2 Recital 5 a (new)</p> <p data-bbox="842 992 1417 1133"><i>(5a) Implementation of the transport policy as advocated in Title I (Free Movement of Goods) and Title V (Transport) of the Treaty is also being impeded.</i></p> <p data-bbox="703 1223 887 1290">Amendment 3 Recital 6</p> <p data-bbox="842 1328 1417 1503">(6) Vehicle crime may also be linked internationally to other forms of crime, such as trafficking in drugs, firearms and human beings, <i>robbery and the theft of vehicle loads.</i></p>
<p data-bbox="188 1626 1166 1693"><i>Robbery and theft of vehicle loads should also be explicitly mentioned as an objective.</i> Amendment 4</p>	<p data-bbox="687 1700 908 1733">Recital 9 a (new)</p> <p data-bbox="842 1771 1417 1946"><i>(9a) As far as cross-border crime involving commercial vehicles is concerned, there needs to be close collaboration between the IRU (International Road Transport Union), the UNECE (United Nations</i></p>

Economic Commission for Europe) and the ECMT (European Conference of Ministers of Transport), and also the maritime sector.

Amendment 5
Recital 13 a (new)

(13a) The Commission should devise a comprehensive plan of action to prevent and combat international vehicle crime involving vehicles and their loads. This plan should contain an outline of the various legislative acts necessary to address the problem of vehicle crime. It should also include preventive measures such as training in crime-prevention, the promotion of electronic tracking and tracing and the provision of sufficient secure and safe parking areas.

Amendment 6
Article 1

For the purposes of this Decision, *"vehicle"* means any motor vehicle with a cylinder capacity exceeding 50 cc and trailers and caravans with an unladen weight exceeding 750 kg.

For the purposes of this Decision, *the following definitions shall apply:*

"vehicle" shall mean any motor vehicle trailer or caravan as defined in the provisions relating to the Schengen Information System (SIS);

"national competent authorities" shall mean any national authorities designated by the Member States for the purposes of this Decision and may include, as appropriate, police and customs authorities, border guards and judicial authorities.

Amendment 7
Article 2, paragraph 2

2. Particular attention shall be given to the relationship between vehicle theft and the illegal car trade and other forms of crime, such as trafficking in drugs, firearms and human beings.

2. Particular attention shall be given to the relationship between vehicle theft and the illegal car trade and other forms of crime, such as trafficking in drugs, firearms and human beings, ***robbery and the theft of vehicle loads***.

Or. en

Justification

Robbery and theft of vehicle loads should also be explicitly mentioned as an objective.

Amendment 8
Article 4, paragraph 2 a (new)

2a. In the case of HGVs, Member States shall encourage the provision of secure, supervised parking areas in order to prevent the theft of such vehicles and their loads.

Amendment 9
Article 4, paragraph 2 b (new)

2b. Member States shall also involve ports and all other operators that could be used in connection with cross-border vehicle crime.

Amendment 10
Article 4 a (new)

Article 4a

Cooperation between competent authorities and other international organisations

Member States shall take the necessary steps to strengthen their cooperation with organisations covering wider geographical

areas than the EU.

Amendment 11
Article 6, paragraph 1

1. Whenever a vehicle is reported stolen, ***Member States' law enforcement agencies*** shall immediately enter a stolen vehicle alert in the Schengen Information System (SIS) and – where possible – in Interpol's ***ASF/Stolen Motor Vehicle System***.

1. Whenever a vehicle is reported stolen, ***national competent authorities*** shall immediately enter a stolen vehicle alert in the Schengen Information System (SIS), ***in accordance with the provisions relating to the SIS***, and - where possible - in Interpol's Stolen Motor Vehicle ***database***.

Amendment 12
Article 7, paragraph 1

1. ***Law enforcement agencies and vehicle registration*** authorities ***shall*** take the necessary steps to prevent abuse and theft of vehicle registration documents.

1. ***Each Member State shall ensure that its national competent*** authorities take the necessary steps to prevent abuse and theft of vehicle registration documents.

Amendment 13
Article 7, paragraph 2

2. ***When (re-)registering a vehicle, national vehicle registration authorities shall, in cooperation with the law enforcement agencies, consult the vehicle register of the country of original registration as well as the stolen vehicle search registers referred to in Article 6.***

2. ***Until such time as registration authorities are granted access to the databases referred to in Article 6(1), the law enforcement agencies shall, at the request of national vehicle registration authorities, inform the latter, in accordance with national law, whether or not a vehicle that is in the process of being registered is mentioned in the databases referred to in Article 6(1).***

Amendment 14
Article 7, paragraph 3

3. In order to prevent stolen vehicles being deleted (re-)registered, arrangements shall be made at national level for consultation or linkage of the registration systems referred to in Article 6(1) and also for checking the identity of the vehicles.

Amendment 15
Article 7, paragraph 3 a (new)

3a. Steps shall be taken to introduce penalties for the removal or falsification of vehicle identification numbers.

Amendment 16
Article 8, paragraph 1

1. In order to prevent abuse of vehicle registration certificates, **law enforcement agencies shall – where possible –** recover a vehicle owner's or vehicle holder's registration certificate if the vehicle has been seriously damaged in an accident (total loss).

1. In order to prevent abuse of vehicle registration certificates, **each Member State shall ensure that its national competent authorities take the necessary steps, in accordance with national law, to** recover a vehicle owner's or vehicle holder's registration certificate if the vehicle has been seriously damaged in an accident (total loss).

PROCEDURE

Title	Initiative by the Kingdom of the Netherlands for adoption of a Council Decision on tackling vehicle crime with cross-border implications
References	5450/2004, 5216/2004 - C5-0056/2004 - 2004/0803(CNS)
Committee responsible	LIBE
Enhanced cooperation	No
Drafts(wo)man Date appointed	Emanuel Jardim Fernandes 1.9.2004
Discussed in committee	6.10.2004. 22.11.2004
Date amendments adopted	23.11.2004
Result of final vote	for: 47 against: 2 abstentions: 0
Members present for the final vote	Robert Atkins, Margrete Auken, Etelka Barsi Pataky, Philip Bradbourn, Paolo Costa, Michael Cramer, Arūnas Degutis, Christine De Veyrac, Armando Dionisi, Saïd El Khadraoui, Emanuel Jardim Fernandes, Luis de Grandes Pascual, Mathieu Grosch, Ewa Hedkvist Petersen, Jeanine Hennis-Plasschaert, Stanisław Jałowiecki, Georg Jarzembowski, Dieter-Lebrecht Koch, Jaromír Kohlíček, Rodi Kratsa-Tsagaropoulou, Jörg Leichtfried, Bogusław Liberadzki, Evelin Lichtenberger, Erik Meijer, Michael Henry Natrass, Robert Navarro, Seán Ó Neachtain, Janusz Onyszkiewicz, Josu Ortuondo Larrea, Willi Piecyk, Luís Queiró, Reinhard Rack, Luca Romagnoli, Gilles Savary, Renate Sommer, Dirk Sterckx, Ulrich Stockmann, Gary Titley, Marta Vincenzi, Corien Wortmann-Kool, Roberts Zīle
Substitutes present for the final vote	Zsolt László Becsey, Johannes Blokland, Luigi Cocilovo, Sepp Kusstatscher, Antonio López-Istúriz White, Helmuth Markov, Rosa Miguélez Ramos, Zita Pleštinská
Substitutes under Rule 178(2) present for the final vote	

PROCEDURE

Title	Initiative by the Kingdom of the Netherlands for adoption of a Council Decision on tackling vehicle crime with cross-border implications		
References	5450/2004, 5216/2004 – C5-0056/2004 – 2004/0803(CNS)		
Legal basis	Article 34(2) EU		
Basis in Rules of Procedure	Rules 93 and 51		
Date of consulting Parliament	3.2.2004		
Committee responsible Date announced in plenary	LIBE 16.9.2004		
Committee(s) asked for opinion(s) Date announced in plenary	TRAN 16.9.2004		
Not delivering opinion(s) Date of decision			
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Carlos Coelho 13.9.2004		
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	22.9.2004	12.10.2004	25.11.2004
Date adopted	25.11.2004		
Result of final vote	for:	33	
	against:	3	
	abstentions:	0	
Members present for the final vote	Alfredo Antoniozzi, Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Giusto Catania, Charlotte Cederschiöld, Carlos Coelho, António Costa, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Kinga Gál, Patrick Gaubert, Livia Járóka, Timothy Kirkhope, Ewa Klamt, Magda Kósáné Kovács, Ole Krarup, Wolfgang Kreissl-Dörfler, Sarah Ludford, Jaime Mayor Oreja, Claude Moraes, Athanasios Pafilis, Martine Roure, Luciana Sbarbati, Inger Segelström, Manfred Weber, Stefano Zappalà		
Substitutes present for the final vote	Gérard Deprez, Camiel Eurlings, Ignasi Guardans Cambó, Jeanine Hennis-Plasschaert, Sophia in 't Veld, Jean Lambert, Jan Zahradil		
Substitutes under Rule 178(2) present for the final vote	Filip Adwent		
Date tabled – A6	29.11.2004	A6-0052/2004	
Comments			