# EUROPEAN PARLIAMENT

## COMMITTEE ON LEGAL AFFAIRS AND CITIZENS' RIGHTS

### MINUTES

of the meeting of

Tuesday, 21 September 1993, at 3 p.m.
Wednesday, 22 September 1993, at 10 a.m. and 3 p.m.
Thursday, 23 September 1993, at 9 a.m.

Room 2 - VAN MAERLANT
BRUSSELS

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Annexes: I. Record of attendance
II. List relating to Item 14
The meeting opened at 3 p.m. with Mr Alber, chairman, in the chair.

*

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1. The following visitors were admitted:
   Mrs Tahon, Association of European Publishers
   Dr Schulze-Wilk, Brussels Office of the Federal German Chamber of
   Dentists.

*

*

The chairman said that the Committee on External Economic Relations had requested that the question of initiating legal proceedings in connection with the TACIS regulation be considered; he proposed that this question should be discussed on 22 September in the presence of the chairman of the Committee on External Economic Relations, Mr De Clercq.

The chairman drew attention to the Green Paper on remedying environmental damage submitted by the Commission and reminded those present of the hearing on this problem arranged by the Committee on the Environment, Public Health and Consumer Protection for 3 and 4 November 1993.

The chairman also said that the chairman of the Committee on the Environment, Public Health and Consumer Protection intended to propose that his committee and the Committee on Legal Affairs and Citizens' Rights should table a joint question on the seat of the Environment Agency. The committee agreed to act jointly with the Committee on the Environment, Public Health and Consumer Protection in this respect.

2. The chairman informed the committee that Item 6 (the Community and sport), Item 7 (freedom of movement, Article 8a of the EEC Treaty, possible initiation of legal proceedings pursuant to Article 175 of the EEC Treaty) and Item 13 (financial stability and regulation of Community markets) of the draft agenda would have to be held over. He proposed a change in the order in which the items were taken. The agenda was adopted in the modified form proposed by the chairman, as evident from these minutes.

Mr Janssen van Raay, Mr Defraigne, Mrs Salema and Mr Medina Ortega spoke to the agenda.

3. The rapporteur presented his draft report. The deadline for tabling amendments was set at 12 noon on Tuesday, 28 September 1993.

4. The chairman presented his proposal for the priorities in the Committee's programme of work until the end of the parliamentary term. Mr Garcia Amigo, Mr Bandres Molet and Mr Medina Ortega spoke. The chairman called on the political groups to submit proposals for the choice of subjects and for the application of Rule 37 of the Rules of Procedure by the next week.

5. The chairman read out a draft oral question without debate tabled by Mr Medina Ortega on the procedure for the appointment of judges to the European Court of Justice. The aim of the question was to give the
European Parliament, and especially its Committee on Legal Affairs and Citizens' Rights, an opportunity to meet candidate judges before their appointment.

The committee decided to endorse the question tabled in July 1993 by Mr Janssen van Raay on behalf of the EPP Group on the European Parliament's role in the appointment of the members of the Court of Justice of the European Communities and to submit to the President a motion for a resolution with a request for an early vote pursuant to Rule 58(7) of the Rules of Procedure.

Mrs Salema raised the question of the definition of the terms of reference of the committees and especially of the Committee on Civil Liberties and Internal Affairs vis-à-vis the Committee on Legal Affairs and Citizens' Rights. The Committee on Civil Liberties and Internal Affairs had received a petition from a British citizen the contents of which were such that it might well be considered in the own-initiative report she had drawn up on interference in people's lives. The Committee on Civil Liberties and Internal Affairs had decided not to draw up a report.

Mr Falconer spoke. The chairman said that he would raise the matter in the Enlarged Bureau on 29 September 1993.

The meeting adjourned at 4.05 p.m. and resumed at 10 a.m. the next day, 22 September.

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*  

Wednesday, 22 September 1993, at 10 a.m.

6. Meeting in camera, the committee considered the possibility of initiating legal proceedings before the Court of Justice in connection with the TACIS regulation.

Mr Chabert, Mr Janssen van Raay, Mr Medina Ortega, Mrs Vayssade, Mr Hoon, Mr Rothley and the chairman of the Committee on External Economic Relations, Mr De Clercq, spoke.

The opinion of the Legal Service was presented by Mr Pennera. The committee decided unanimously to recommend to the President that proceedings be initiated.

7. The rapporteur presented her draft report. Mrs Salema spoke.

The deadline for the tabling of amendments was set at 12 noon on Tuesday, 5 October 1993.

8. The rapporteur discussed the 102 amendments that had been tabled.

Mr Bandres Molet, Mr Cooney, Mr Medina Ortega, Mrs Vayssade, Mr Inglewood, Mr Garcia Amigo and Mrs Salema spoke.

The rapporteur asked the groups to submit lists showing which of the various amendments they approved or rejected.
9. The rapporteur presented his draft report and the additional amendments he had tabled after its completion and commented on the amendments tabled by Mr Zavvos.

Mr Bru Purón and Mr Lohengrin of the Commission spoke.

The result of the voting was as follows:

Amendment No. 1: adopted unanimously;
Amendment No. 2: withdrawn;
Amendment No. 21: adopted unanimously;
Amendment No. 3: withdrawn;
Amendment No. 22: adopted unanimously;
Amendment No. 23: adopted (8/1/0);
Amendment No. 24: adopted (8/1/1);
Amendment No. 4: withdrawn;
Amendment No. 25: adopted unanimously;
Amendments Nos. 24 and 5: withdrawn;
Amendment No. 26: rejected (5/7/0);
Amendment No. 27: adopted (7/4/0);
Amendment No. 6: withdrawn;
Amendment No. 28: adopted unanimously;
Amendment No. 7: withdrawn;
Amendment No. 29: rejected (5/7/0);
Amendment No. 30: adopted (7/5/0);
Amendment No. 8: withdrawn;
Amendment No. 31: adopted unanimously;
Amendment No. 9: withdrawn;
Amendment No. 32: adopted unanimously;
Amendment No. 10: adopted unanimously;
Amendments Nos. 11 and 12 withdrawn;
Amendment No. 33: adopted (7/4/0);
Amendment No. 13: lapsed;
Amendment No. 14: withdrawn;
Amendment No. 34: adopted unanimously;
Amendment No. 35: adopted (8/3/1);
Amendment No. 15: lapsed;
Amendments Nos. 36 to 38, 16 to 18 and 20: adopted unanimously;
Amendment No. 19: lapsed;

Proposal for a directive as amended and draft legislative resolution: adopted unanimously.

10. The rapporteur, Mr Garcia Amigo and Mrs Salema spoke.

At the rapporteur's suggestion, the deadline for the tabling of amendments was set at 12 noon on Tuesday, 28 September 1993. The adoption of a recommendation for second reading was scheduled for the sitting from 6 to 8 October 1993.

11. The draftsman of the opinion and Mr Rothley commented on those aspects of the general budget which fell within the terms of reference of the Committee on Legal Affairs and Citizens' Rights.
The deadline for the tabling of amendments was set at 12 noon on Friday, 24 September 1993.

The meeting adjourned at 5.15 p.m. and resumed at 9 a.m. the next day, 23 September 1993.

* *

Thursday, 23 September 1993 at 9 a.m.

12. The rapporteur introduced the subject of his draft report, referring in particular to the case of the British journalist Goodwin, which was currently before the European Commission of Human Rights in Strasbourg. The chairman and Mr Bradley of the Legal Service then spoke.

The deadline for the tabling of amendments was set at 12 noon on Thursday, 21 October 1993.

13. The committee approved the five sets of minutes submitted.

14. The chairman informed the committee of the outcome of the Coordinators' meeting the previous evening (see the annex to these minutes).

15. The chairman pointed out that, of 17 committees, 12 met in public. He therefore proposed that as a rule the Committee on Legal Affairs and Citizens' Rights should meet in public, the public being excluded as the need arose. As the committee was not quorate, a decision was held over until the next meeting.

16. The chairman said that Item 12 (industrial property rights and standardization), Item 13 (financial stability and regulation of Community markets) and Item 14 (elimination of obstacles to the use of the ECU) could not be considered at this meeting and must therefore be held over.

Mr Rothley requested that the motions for resolutions tabled pursuant to Rule 63 of the Rules of Procedure (Nos. 209 and 211 in Annex I to the agenda) be discussed again at the next meeting.

17. The next meeting would take place on Tuesday, 28 September 1993, at 3 p.m. and Wednesday, 29 September 1993, at 9 a.m.
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<th>Till stede</th>
<th>Formandskabet/Vorstand/Προεδρείο/Bureau/Ufficio di Presidenza/Mesa : (*)</th>
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<td>Lord INGLEWOOD (2,3), JANSEN VAN RAAY (1,2), MALANGRE (1), MEDINA ORTEGA, ODDY (3),</td>
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| Art. 111,2 | Schlechter (1,2) |
| Art. 124,4 | Dalsass (3), de Clerq (2), Chabert (2), Seligman (2), Valverde Lopez (1) |

| Endv. deltagt/Weitere Teiln./   |
| Συμμετέχανει/Also present      |
| *Participaron igualmente/      |
| *Participez également/         |
| *Hanno partecipato altres*/*   |
| *Andere deelnemers/            |
| *Outros participantes/*        |

*Dagsorden/Tagesordnung/         |
*Husenol Daleten/OG/Agenda/Point/|
*Ordem do dia-Pkt./Inquérito/Point/|
*Punto/Punt/Ponto/*             |

* (P) = Formand/Vorsitzender/Πρόεδρον/Chairman/President/Presidente/Voorzitter/Presidente  |
(VP) = Nestform./Stellv. Vorsitz./Avilnπρες/ντοριάν/ντοριάν/Vice-Chairman/Vice-President/Vicepresidente/ |
Ondervoorz./Vice-Prez./Vicepres.  |

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(1) 21.09.1993  |
(2) 22.09.1993  |
(3) 23.09.1993  |

PE 205.955/Ann.
Efter indbydelse fra formanden/Auf Einladung d. Vorsitzenden/Mc pròò̂xiàκh tòu Ππòò̂pòò/At the invitation of the Chairman/Por invitación del presidente/Sur l'invitation du président/Su invito del presidente/Op uitzending van de voorzitter/A convite do presidente:

Rat/Rad/Iuùòòòòko/Laico/Consello/Consiglio/Raad/Conselho (*)

Kommissionen/Kommission/Enþpoñ/Kommission/Comisión/Commissione/Comissão (*)

ARTEAGOITIA, LAU, LOVVENGREEN, MAIER

Cour des comptes:

C.E.S.

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<th>Andre deltagere</th>
<th>Andre Teilnehmer</th>
<th>Enlonç Παρόντες</th>
<th>Also present</th>
<th>Otros participantes</th>
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Cab. du Président

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Udvalgsekretariatet

Ausschusssekretariat

Гραμματεία εντοπονίας

Committee secretariat

Secretariat de la comisión

Segretariato della commissione

Commissionsexekretariat

Secretaria de comisión

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(P) = Formand/Pras./Ππòòpòò/Chairman/Président/Voorzitter
(VP) = Næstform./Vize-Pras./Αυτινόποòòpòò/Vice-Chairman/Vice-Président/Ondervoorz./Vice-pres.
(H) = Medlem./Mitglied/Hìòòòòòòòòòò/Member/Membre/Membro/Líd/Membro
(F) = Tjenestemand/Beamter/Ymáλληκοκh/Official/Funcionario/Fonctionnaire/Funzionario/Ambtenaar/Funcionário
I. Appointment of rapporteurs
Consultations

1. Legal professions: rules on right of establishment currently applying to
the professions (directive) (79/93)
T02585
Rapporteur: Nicole FONTAINE

2. Setting up of a securities committee
**I T02972 - (SYN 2007 - 5111/1/93 - C3-0289/93)
(72/93)
Rapporteur: Carlos Maria BRU PURON
(PE 205.962)

3. Conditions of employment of staff of CEDEFOP and the Foundation for the
Improvement of Living and Working Conditions (83/93)
* T02962 - (CSA2743 - COM(93) 0105 - C3-0274/93)
(CSA2753 - COM(93) 0105 - C3-0275/93)
Rapporteur: Marie-Claude VAYSSADE

4. Amendment of directive on credit institutions, non-life and life assurance
and investment firms (84/93)
**I T02969 - (SYN 0468 - COM(93) 0363 - C3-0296/93)
Rapporteur: James JANSSEN VAN RAAY

II. Appointment of draftsmen
Consultations

5. A strategic programme on the internal market (74/93)
T02922 - (COS0079 - COM(93) 0256 - C3-0214/93)
Decision: no opinion

III. Appointment of draftsmen
Rule 63 motions for resolutions

6. Pornography (35/93)
MARTIN David W. (PSE)
T02358 - (B3-0121/93 - - )
- (with which is associated the motion for a resolution (B3-420/92 on
pornography) on which LEGA has not been asked for an opinion)
Decision: no opinion

7. Alternative medicine (50/93)
PIMENTA Carlos (LDR), DIEZ DE RIVERA ICAZA Carmen
T02918 - (B3-0344/93 - - )
Decision: no opinion

8. Consumer protection, advertising and the internal market (71/93)
COLLINS Kenneth D. (PSE), SCHLEICHER Ursula, IVERSEN John,
AMENDOLA Gianfranco
T02919 - (B3-0472/93 - - )
Decision: No opinion