EUROPEAN PARLIAMENT

COMMITTEE ON LEGAL AFFAIRS AND CITIZENS' RIGHTS

MINUTES

of the meeting of
Wednesday, 6 October 1993,
Thursday, 7 October 1993 and
Friday, 8 October 1993

BRUSSELS

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The meeting opened at 3.00 p.m. with Mr Alber, chairman, in the chair.

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The following members of the public were admitted to the meeting for the following points:

- Anthony GOOCH  Cabinet Stewart Consultants  3, 6
- Martin HARVEY  Interel Consultants  2, 3
- Peter KERSTENS  Charles Barker Consultants  3, 4, 7

1. The draft agenda was adopted in accordance with the order as hereafter appears in these minutes.

As a preliminary point Mr Defraigne referred to point 6 on the draft agenda and the judgment handed down by the Court in Liège concerning the transfer of football players. As the Court had decided to refer questions to the Court of Justice in accordance with Article 177 of the EC Treaty the case was now sub judice.

2. The draftsman introduced his draft opinion, and referred to the importance of competition policy for the European Community. Mr Hoon suggested that it would be better if paragraph 2 of the conclusion to the draft opinion was withdrawn, a suggestion which was accepted by the draftsman.

The deadline for tabling amendments was set for 12 noon on 11 October 1993.

3. This point was introduced by the rapporteur who outlined his position on the 5 amendments which had been tabled, all 5 of which were unanimously adopted by the committee.

4. The draftsman introduced this point and referred to the intervention made by Mr Defraigne at the beginning of the meeting. The following members then took part in a discussion: the chairman, Defraigne, Janssen van Raay and Rothley. At the end of the discussion it was agreed that the draftsman would revise his draft opinion with a view to its adoption at the meeting scheduled for 14 and 15 October 1993.

5. The rapporteur introduced his draft report and the 3 amendments which he had tabled, referring to the great interest which had been shown in this proposal. All the amendments were unanimously adopted by the committee.

6. This point was introduced by the rapporteur, who emphasised the importance of protecting individuals against unauthorized interference in their private lives. The following members then took part in a discussion: Bru Puron, Garcia Amigo, Hoon, Janssen van Raay and Oddy. At the end of this discussion the rapporteur agreed to amend the conclusions to the draft report in accordance with suggestions made by Mr Hoon. A deadline for tabling amendments was set for 12 noon on 21 October 1993.

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The meeting adjourned at 4.47 pm and reconvened the following morning at 9.15 a.m. with Mr Alber, chairman, in the chair.
7. This point was introduced by the rapporteur who referred to the problems which he had encountered in getting his amendments accepted by the Commission. The following members then took part in a discussion: the chairman, Bontempi and Janssen van Raay. The meeting then adjourned at 10.00 a.m. and resumed at 3.00 p.m. with Mr Alber, chairman in the chair. Mr Bru Puron referred to his earlier intervention which he had made and informed the committee that he had decided to withdraw his amendments Nos. 1 and 4. Mr Mayer, on behalf of the Commission, informed the committee that the Commission could accept amendments 2 and 3 which related to the Spanish version only of the text. The committee adopted amendments 2 and 3 unanimously.

8. The rapporteur introduced this point and said that all that remained to do was to take a formal decision to recommend the initiation of proceedings under Article 175 of the EC Treaty. He reminded members of the committee that there had been unanimous agreement during the last meeting on this course of action. Mr Turner, chairman of the Committee on Civil Liberties and Internal Affairs stated that before proceeding to a vote he would nonetheless like to hear the views of Parliament's Legal Service on this point.

Mr. Schoo on behalf of Parliament's Legal Service, pointing out that the Commission could not opt for an 'intergovernmental' solution to the problem of the free circulation of individuals, since Article 8a of the EC Treaty called for the Community to take action in this area. The committee decided unanimously to recommend to the President that legal proceedings be initiated against the Commission for its failure to act in this area.

9. This point was adjourned in order to enable Mr Medina Ortega to study the possibility of initiation of proceedings more closely. It was agreed that this point would be dealt with at the meeting of 4 November 1993.

10. This point was introduced by Mr Peter of Parliament's Legal Service who said that there were some 23 cases pending before the Court which could be divided into 3 types:

(1) cases relating to contractual matters
(2) cases relating to officials
(3) cases relating to institutional matters

After hearing an outline of the above cases, the following members took part in a discussion: Bontempi, Garcia Amigo, Inglewood, Medina Ortega and Vayssade.

11. This point was introduced by the draftsperson, who referred to the fact that it was important that Parliament's role in protecting animals throughout the Community should be recognized. The following members then took part in a discussion: the draftsperson, Garcia Amigo and Inglewood. A deadline for tabling amendments was set for 18 October 1993.

12. In respect of this point, the committee decided that the rapporteur would prepare a draft report in time for the committee meeting scheduled for 4 and 5 November 1993.
13. The rapporteur introduced this point and said that he would prepare a draft opinion for the meeting of 4 and 5 November 1993.

    * * *

The meeting adjourned at 4.20 p.m. and resumed the following morning at 9.10 a.m. with Mr Alber, chairman, in the chair.

    * * *

14. The chairman referred to a letter from Mr Medina Ortega and said that the decisions reached at the coordinators' meeting the previous day would be formally adopted at a later date if the members so requested.

15. The minutes of the meeting of 15 July 1993 were adopted in accordance with the provisions of Rule 89(1) of the Rules of Procedure.

16. The rapporteur introduced this point and immediately gave the floor to the Commission representative, Mr Kahn, who outlined the background to this proposal. Mr Bieber and Mr Sheehan spoke on behalf of CEDEFOF and the Foundation for the Improvement of Living and Working Conditions respectively. The rapporteur suggested that this report should be approved without a report in accordance with the provisions of Rule 116.1 of the Rules of Procedure. Mr Garcia Amigo concurred with this suggestion.

17. The draftsman introduced this point and proposed to the committee not to deliver an opinion on this matter. The committee followed the draftsman's view.

18. The next meeting was scheduled to take place on 14 and 15 October 1993, in Brussels.

The meeting ended at 9.40 a.m.
**Til stede**

Formandskabet/Vorstand/Πολιτιστικό/Bureau/Ufficio di Presidenza/Mesa: (*)
ALBER (P), VAYSSADE (VP) (2,3), ROTHLEY (VP) 1,3

Medlemmer/Mitglieder/Membres/Diputados/Deputés/Deputati/Leden/Depuidados:
BONTEMPI (1,2), BANDRES MOLET (3), BRU PURON (1), CGT (2), GARCIA AMIGO, GOLLNISCH (2),
GRUND (3), HOON (1), INGLEWOOD (2,3), JANSSEN VAN RAAY (1,2), MALANGRE (2), MEDINA ORTEGA (2),
ODDY (1), SALEMA O. MARTINS (1), SIMPSON (2), UKEIHE (1,3)

Stedfortrædere/Stellvertreter/Avançnputgc/Substitutes/Suplentes/Suppléments/
Membri supplenti/Plaatsvervangers/Membros suplentes:
COONEY (1), DEFRAIGNE (1,3), FANTINI (2,3), MARTIN (1), NEUBAUER (1)

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**Art. 111.2**

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**Art. 124.4**

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**Endv. deltak/Weitere Teiln.**

Ihuweziгhov enilouк/Also present
Participaron igualmente/
Participaent également/
Hanno partecipato altresi'/
Andere deelnemers/
Outros participantes/

| (Dagsorden/Tagesordnung/ |
| Νεράνηα Δάλεγη/0J/OG/Agenda/ |
| Ordem do dia-Pkt./InuеCo/Point/ |
| Punto/Punt/Punto) |

* (P) = Formand/Vorsitzender/Πολιτιστικό/Chairman/Président/Präsident/Presidente/Voorsitter/Presidente
(VP) = Nestform./Stellv. Vorsitz./Avantpolезgog/Vice-Chairman/Vice-Président/Vicepresidente/
Ondervoorz./Vice-Pres./Vicepres.

**Til stede den/Anwesend am/Παρών στις/Present on/Présent le/Presente il/Aanwezig op/Presente el**

1. 6.10.1993
2. 7.10.1993
3. 8.10.1993
Efter indbydelse fra formanden/Auf Eindlandung d. Vorsitzenden/Mε πρόεδρον του Προέδρου/At the invitation of the Chairman/Por invitación del presidente/Sur l'invitation du président/Su invito del presidente/À convite do presidente:

Radet/Rat/Europolis/Council/Consejo/Conseil/Consiglio/Raad/Conselho; (*)

Kommissionen/Kommission/Entsendung/Kommission/Comisión/Commissione/Comissão; (*)

GARCIA PALENCIA, KAHN, LAU, MAIER, RIVA, SHEEHAN

Cour des comptes:

C.E.S.:

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<th>Andre deltager</th>
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<th>EnLönc Napóvcg</th>
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Cab. du Président

Cab. du Secrétaire Général

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Udvalgssekretariatet

Ausschusssekretariat

Γραμματεία εντστοής

Committee secretariat

Secretaria de la comisión

Secretariado della commissione

Commissiesecretariaat

Secretaria de comissão

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(M) = Medlem./Mitglied/Membro/Member/Membre/Membro/Lid/Membro
(F) = Tjenestemand/Beamter/Υπάλληλος/Official/Funcionario/Fonctionnaire/Fonctionario/Ambtenaar/Functionário

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PE 206.241/Ann. 1