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REPORT

on progress made in equal opportunities and non-discrimination in the EU (the transposition of Directives 2000/43/EC and 2000/78/EC)
(2007/2202(INI))

Committee on Employment and Social Affairs

Rapporteur: Liz Lynne

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on progress made in equal opportunities and non-discrimination in the EU (the transposition of Directives 2000/43/EC and 2000/78/EC)
(2007/2202(INI))**

The European Parliament,

- having regard to the Commission communication on non-discrimination and equal opportunities for all - A framework strategy (COM(2005)0224),
- having regard to Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin¹,
- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation²,
- having regard to Article 13 of the EC Treaty,
- having regard to the Commission communication on the application of Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (COM(2006)0643),
- having regard to the Commission report on Developing Anti-Discrimination Law in Europe: The 25 EU Member States compared of July 2007,
- having regard to the national reports on the implementation of anti-discrimination legislation and the thematic reports produced by the European Network of Legal Experts in the Non-Discrimination Field,
- having regard to the International Convention on the Elimination of All Forms of Racial Discrimination,
- having regard to the UN Convention on the Rights of Peoples with Disabilities,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms and Protocol No.12 thereto,
- having regard to the Eurobarometer Survey on Discrimination in the European Union 2007,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Employment and Social Affairs and the opinion of the Committee on Civil Liberties, Justice and Home Affairs (A6-0000/2007),

¹ OJ L 180, 19.7.2000, p. 22.

² OJ L 303, 2.12.2000, p. 16.

- having regard that 2007 was designated European Year of Equal Opportunities for All and 2008 has been designated European Year of Intercultural Dialogue,
- A. whereas according to Art 6 of the TEU, the EU is a community of values as human rights and freedom and it is important that political declarations on the fight against discrimination are matched by the progressive development and full and correct implementation of policies and legislation and notably of the anti-discrimination directives and of projects promoting equality,
- B. whereas the EU is a political project founded on common values such as the protection of human rights and fundamental freedoms, as stated in Article 6 TEU and in the Charter of Fundamental Rights, and the promotion of human rights, equality and non-discrimination should be a priority of the European Union's policies and laws as provided by Article 13 of the EC Treaty,
- C. whereas employment is one of the basic conditions for social inclusion but whereas levels of unemployment among many groups, in particular women, migrants, people with disabilities, ethnic minorities, older and younger people and those with isolated or unrecognised skills, remain unacceptably high: notes that unemployment of persons suffering from multiple discrimination is even higher,
- D. whereas Community law does not currently cover discrimination in most areas of Community competence, and there exists different levels of protection between Directive 2000/78/EC and Directive 2000/43/EC which create gaps in protection against discrimination that impacts on employment,
- E. whereas the Commission's mapping survey on Developing Anti-Discrimination law in Europe confirms that at Member State level there is a patchwork of legislation across Member States which protects against discrimination in different ways and often lacks a common method of implementation which has led to a lack of harmony in the implementation of existing directives and has meant that people are not sufficiently aware of their rights,
- F. whereas the Council has invited Member States and the European Commission, in accordance with their respective competencies, to sustain and reinforce the mainstreaming of disability issues into all relevant policies (Council resolution on the follow-up of the European Year of Equal Opportunities for All (2007), 15383/07),
- G. whereas this contributes to the lack of implementation in practice of EU anti-discrimination legislation, as is reflected in reports such as the Waaldijk report on the EU wide status of implementation of anti-discrimination legislation concerning LGBT people,
- H. whereas the European Commission has therefore justly commenced procedures against several Member States, and needs to continue doing so when necessary,
- 1. Calls on the Member States to take due account in their legislative practice of the various grounds for discrimination set out in Article 21 of the Charter of Fundamental Rights of the European Union;

2. Recalls that the Directives are a minimum standard and should therefore be the foundation on which a comprehensive anti-discrimination policy is built;
3. Expresses concern over deficiencies in the transposition and implementation of Directive 2000/78/EC and of Directive 2000/43/EC by some Member States and lack of information on possible remedies in cases of discrimination;
4. Regrets that Directives 2000/43/EC and 2000/78/EC do not cover differences in treatment of a discriminatory nature based on physical criteria such as height or complexion, particularly in relation to access to jobs where there is no direct link between those physical characteristics and the skills required to perform the jobs concerned;
5. Calls on Member States to ensure that Directive 2000/78/EC and Directive 2000/43/EC, after the transposition of all their provisions, are fully correctly and effectively transposed and adequately implemented, and that all exemptions are justified;
6. Calls on the competent EU, national and local authorities to better coordinate their efforts of implementation; and calls for a unified approach to combating discrimination which is inclusive of, and takes into account, all grounds for discrimination at the same time;
7. Emphasises that the public authorities have a key role to play in promoting equality and preventing discrimination, through their policies, providing their services and through their employment practices;
8. Calls for a commitment by the Commission to carry out a substantial review of the implementation of Directives 2000/43/EC and Directive 2000/78/EC as well as issuing interpretive guidelines for implementation to ensure full and correct implementation by Member States, in particular to assess the way in which Member States have interpreted the exemptions provided for in Articles 6 and 8 when transposing the Directive into national law; recalls that implementation requires a range of mechanisms and strategies including compliance, proactive engagement and enforcement as well as and effective sharing of best practices;
9. Urges that sanctions applicable to infringements of national provisions adopted pursuant to the transposition of Directive 2000/78/EC and of Directive 2000/43/EC must be effective, proportionate and dissuasive;
10. Urges the Commission to monitor carefully the transposition of Directive 2000/78/EC and Directive 2000/43/EC and compliance with legislation resulting from the transposition and to continue pressure on Member States, through public infringement and non-compliance procedures, to respect their legal obligations in fully transposing these directives as soon as possible; believes that its competent Committee should play a role in the ongoing monitoring of Member States' obligations under those directives;
11. Asks for an annual evaluation of Member State implementation as part of the open method of co-ordination; and an extended review of the implementation of such legislation every five years as part of the Social Agenda; believes that independent equality bodies and nongovernmental organisations representing potential victims of discrimination, the European Network of Legal Experts in the Non-Discrimination Field,

and the specialised equality bodies should be involved in evaluation; and that concrete measures should be taken to build the capacity of NGOs to provide information and support to victims and to contribute constructively to the annual evaluation;

12. Believes that the absence of a provision in Directive 2000/78/EC indicating the necessity for broad definitions of disability has excluded some categories of disabled people from the legal protection of the directive; and therefore invites Member States and the European Commission to urgently agree such broad definitions of disability in order to facilitate harmonisation of anti discrimination, which could be based on the UN Convention on the Rights of Persons with Disabilities;
13. believes, that the undefined time limit for filing action against discrimination has lead in some Member States to very short time limits, which might hinder victims in filing action;
14. Believes that exceptions linked to marital status in Directive 2000/78/EC has limited the protection against discrimination on the ground of sexual orientation offered by the Directive;
15. Urges the Member States to promote more effectively the application of the rights of citizens of the Union under the Directive 2000/78/EC and Directive 2000/43/EC, and urges the Commission, Member States, trade unions, employers all the governmental and non-governmental stakeholders to do all in their power to improve awareness of rights under these Directives, and to ensure victims of discrimination have access to a range of advocacy supports to enable their effective exercise of these rights; notes that the burden to act is often on the individual to challenge the perpetrator of the discrimination, often with neither support from any public authority nor access to public funding for legal aid; urges Member States to empower the independent equality bodies to provide an effective help for victims of discrimination;
16. Is concerned about the low level of awareness of anti-discrimination legislation among citizens in the Member States and calls on the Commission, Member States, trade unions and employers to step up their efforts to raise this level of awareness; recalls that the Directives impose an obligation on Member States to disseminate information to the public on the relevant provisions of the Directives by all appropriate means;
17. Takes the view that a holistic approach to raising public awareness is needed in order to combat discrimination, and that this should begin with programmes at schools;
18. Recommends that Member States undertake independent reviews of preventive and restititional anti-discriminatory measures and the effectiveness of protection against victimisation and ensure that statutory and non-statutory organisations that participate in the prevention of discrimination and that support the victims of discrimination are adequately resourced; that the Commission should include peer reviews in its ongoing monitoring exercise;
19. Recommends that Member States adequately resource and empower their independent equality bodies that promote equality so that they can perform their role effectively and independently including the provision of sound expertise on all grounds of discrimination and appropriate assistance for victims of discrimination; encourages Member States to ensure the remit of those bodies covers all grounds of discrimination, and calls on the

Commission to establish standards against which to monitor and ensure the effectiveness and independence of these specialised equality bodies;

20. Recommends that Member States and the European Commission resource and empower those non-governmental organisations that are representative of discriminated groups and those that are active in informing citizens and providing legal aid on matters of discrimination;
21. Calls on Member States to work together with the relevant social partners to monitor the correct implementation of Community legislation;
22. Stresses that in any event Member States should ensure that victims of discrimination are automatically assisted in legal proceedings, if necessary by public funding through national legal aid schemes;
23. Calls upon the Commission practically and effectively to support the adoption of measures by Member States through the PROGRESS programme and the European Social Fund in order to support programmes promoting equal opportunities and the eradication of discrimination;
24. Recommends that, in order to provide a more effective level of protection, Member States should empower associations, organisations and other legal entities to engage in legal proceedings, including on behalf or in support of any victim;
25. Urges the governments of Member States to ensure equal treatment and opportunities under employment and social inclusion policies, and, in particular, to address the serious barriers raised by discrimination in recruitment procedures;
26. Recommends that Member States ensure that associations, organisations and other legal entities may engage on behalf of one or more complainants in any judicial proceedings for the enforcement of the Directives;
27. Calls on the Member States in cooperation with the European Union Agency for Fundamental Rights and the European Commission, to collect, compile and publish comprehensive, accurate, comparable, reliable and separate statistics on discrimination at regular intervals and to publish them in such a way that they can be easily understood by the public and enables more effective exchanges of best practice; stresses the need to have available sufficient funds to achieve this and the importance of developing ways of gathering data on discrimination in line with data protection legislation;
28. Calls for the establishment of national integrated action plans against all forms of discrimination;
29. Welcomes the Commission's interest in collecting equality data, including the publishing of the European handbook on such data; Asks the Commission to study carefully the various legal questions and parameters regarding the issue of data collection and to come forward with proposals to improve the recording of cases of discrimination and look at common standards for data collection; that the Commission should continue to provide legal training for judges, lawyers, trade unions and NGOs to enhance the long-term impact of the Directives, and should also conduct more research and assessment of the

impact of legislation transposing the Directives;

30. Welcomes the Commission's interest in multiple discrimination, including the launch of a study on this subject; calls on the Commission to adopt a balanced broad concept of multiple discrimination and for the Commission to examine and supply data on multiple discrimination and hate crimes, calls on the Commission to include provisions explicitly designed to combat multiple discrimination in any future legislation adopted under Article 13, which can be invoked on either one or a combination of more than one of the grounds;
31. Stresses the importance of networking between groups active in combating discrimination both at European and at national, regional and local levels;
32. Calls on Member States to overview their national legislation and consider repealing acts which are not in compliance with Article 13 of the EC Treaty;
33. Regards Directive 2000/43/EC as the foundation upon which a comprehensive antidiscrimination framework can be built; stresses, however, that account must be taken of problematic aspects which have already been identified and of the difficulties encountered by Member States in effectively transposing and implementing the provisions of this Directive;
34. The Commission must produce a common, EU-wide definition of, or at least work towards a consensus about, the meaning of Positive Action. This would dispel the myths around its meaning and application in some EU member states, particularly given its effectiveness for successfully tackling discrimination and producing equality of outcomes in some member states;
35. Reiterates the political, social and legal desirability of putting an end to the hierarchy of protection against the different grounds of discrimination; Strongly believes it does not make sense to outlaw discrimination in one area whilst allowing it in another and therefore welcomes the Commission's intention to draw up a comprehensive directive to combat discrimination under Article 13 of the EC Treaty as provided in its 2008 work;
36. Believes, that any new proposed directive to combat discrimination within the meaning of Article 13 of the EC Treaty will have to prohibit all forms of discrimination, including direct and indirect discrimination in all areas already covered in Directive 2000/43/EC, discrimination by associations and discrimination linked to perceived membership of a protected group, harassment; believes that an instruction to discriminate against persons should be deemed discrimination, and that an unjustified failure to make a reasonable accommodation should be regarded as a form of discrimination; believes that the Directive should make clear that there is no hierarchy between discrimination grounds and that all forms of discrimination need to be combated in equally strong measure; insists that any new proposed legislation duly reflects all the specificities of the different respective grounds;
37. Believes strongly that the material scope of the new proposal for a directive to combat discrimination within the meaning of Article 13 of the EC Treaty must be broad, covering all the areas that fall under EU competence as well as education, life long learning, social protection including social security, housing and healthcare, images of discriminated

groups in the media and advertising, physical access for people with disabilities to information, telecommunication, electronic communications, transport modes and public spaces, social advantages and access to and supply of goods and services which are available to the public; further believes that the new Directive should also develop the scope of the Gender Equal Treatment Directive to be consistent with the protection of discrimination against the other groups;

38. Is firmly convinced that in combating discrimination, a holistic approach to raising public awareness must be developed, beginning with school programmes;
39. Calls on the Commission to investigate how future legislation based on Article 13 can incorporate further provisions promoting the implementation of the principles of non-discrimination and equality which are not dependent on complaints being made by individual victims; believes that this investigation should consider how future legislation can create obligations to introduce positive action and/or positive duties to promote equality, and link obligations related to non-discrimination and equality to national public procurement policy;
40. Takes the view that differences in treatment based on nationality or language that are neither objectively and reasonably justified by a legitimate aim nor achieved by appropriate and necessary means may constitute indirect discrimination on the grounds of racial or ethnic origin;
41. Considers that discrimination must also be seen as interfering with the four fundamental freedoms - particularly the freedom of movement for persons - and as such constitutes an obstacle to the functioning of the internal market; calls on the Commission to encourage the Member States to review their transitional provisions regulating access to their labour markets in order to eliminate differences between European citizens in this respect;
42. Considers that minority communities, and in particular the Roma community, need specific social protection, since their problems of exploitation, discrimination and exclusion have become even more acute further to enlargement in the areas of education, health, housing, employment and women's rights;
43. Recommends that, as regards access to high-quality education for disadvantaged and Roma children and their unjustified classification as disabled, special attention be paid to fighting all forms of discrimination encountered in the field of education;
44. Emphasizes, that laws are effective only when citizens are aware of their rights and have easy access to the courts, therefore believes that the new proposal for a directive to combat discrimination within the meaning of Article 13 of the EC Treaty must also address remedies and enforcement and recommends the establishment by Member States of one or more independent and effective bodies for the promotion of equal treatment and for combating the various forms of discrimination, with a remit to cover all grounds of discrimination under Article 13 and in all areas covered by the Gender Equality Treatment Directive; believes that the competence of these bodies should include providing independent assistance to victims of discrimination in pursuing their complaints about discrimination, conducting independent surveys about implementation

- of laws and making recommendations on any issue relating to such discrimination;
45. Calls for an obligation to be included in any future legislation under Article 13 of the EC Treaty to consult and include non-governmental organisations, independent specialised equality bodies, and representative national organisations in regard to its drafting, its transposition process and the monitoring of its implementation;
 46. Believes that the new directive should include a requirement on member states to implement equality mainstreaming in all planning, policy making and programme development in the areas covered by the directive; a requirement on service providers to be planned and systematic in their approach to equality; and a requirement on service providers to make adjustments and to provide special treatment to ensure that members of minority groups that are experiencing inequality can access and benefit from the service provided;
 47. Notes with concern that while 19 Member States have signed Protocol No12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, only 5 have ratified that Protocol.
 48. Calls for the continuation of the process of signature, conclusion and ratification of the Convention on the Rights of Persons with Disabilities, including its Optional Protocol, and recalls that, following ratification of the Convention by the EC, any proposed European non-discrimination legislation must comply with the requirements imposed under the Convention in full; reminds the Council about the call that the Commission made at the informal ministerial conference on disability in June 2007 to launch a European strategy for the effective implementation of the convention; calls upon the Commission, within this framework, to evaluate the need to amend secondary European legislation or to adapt the relevant policies;
 49. Stresses the importance of horizontal implementation and mainstreaming of the non-discrimination clause of the Lisbon Treaty after it comes into force, which commits the European Union to aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in defining and implementing its policies and activities;
 50. Calls on the Commission and the Member States to mainstream equal opportunities and non-discrimination into the Lisbon Strategy for Growth and Employment; the guidelines for the open method of coordination on social inclusion and for national reform programmes and the regulations governing the structural funds; calls on the Commission and the Member States therefore to revise the Integrated Guidelines and in particular the Employment Guidelines in order to ensure and improve the integration and visibility of the social dimension in the next cycle of the Lisbon Strategy. Emphasises that in order to be effective equality and non-discrimination policies need to be strongly linked to social policies with an important role for social partners;
 51. Calls on the Commission and the Member States to end all discrimination based on the employment contract by ensuring for all workers equal treatment, workers' health and safety protection and provisions on working/rest time, freedom of association and representation, protection of unfair dismissal, collective bargaining, collective action, and

emphasises the importance of access to training as well as the continued protection of acquired rights by covering periods of education and training, improved care opportunities, maintaining of essential social rights such as pension rights, training rights and right to unemployment benefits during changes in occupational situation, from one employment contract to another and from dependent to autonomous employment.

52. Instructs its President to forward this resolution to the Council, the Commission and the parliaments and governments of the Member States and candidate countries.

28.3.2008

OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

for the Committee on Employment and Social Affairs

on the progress made in equal opportunities and non-discrimination in the EU (the transposition of Directives 2000/43/EC and 2000/78/EC) (2007/2202(INI))

Draftswoman: Tatjana Ždanoka

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Calls on the Member States to take due account in their legislative practice of the various grounds for discrimination set out in Article 21 of the Charter of Fundamental Rights of the European Union;
2. Regrets that the Commission, in order to ensure that the Member States duly and fully comply with Directive 2000/78/EC, had to send reasoned opinions on 31 January 2008 for failure to implement the Directive to ten Member States (the Czech Republic, Estonia, Ireland, Greece, France, Hungary, Malta, Netherlands, Finland and Sweden), as well as a letter of formal notice to Germany and two complementary letters of formal notice to Latvia and Lithuania; also notes that the first steps in infringement proceedings have been taken against Belgium and Slovakia, Denmark, Italy, Poland, Portugal, Spain and the United Kingdom, while the transposition of the Directive in Austria, Luxembourg, Bulgaria and Romania is being analysed; calls on the Member States concerned to comply with the Directive fully and without delay;
3. Calls on the Member States to make use of all the instruments available, including positive action, in order to ensure equality in practice and to give greater weight to the evidence of discrimination;
4. Calls for strict monitoring of the application of the rules on the burden of proof and the filing of claims in the public interest;

5. Calls on the Commission to adopt a more pro-active approach, for instance by issuing interpretative communications and guidelines for implementation by the Member States;
6. Calls on the Commission to submit a specific action plan on the mechanisms and methods of observation and description of the impact of national implementation measures;
7. Takes the view that differences in treatment based on nationality or language that are neither objectively and reasonably justified by a legitimate aim nor achieved by appropriate and necessary means may constitute indirect discrimination on the grounds of racial or ethnic origin;
8. Considers that discrimination must also be seen as interfering with the four fundamental freedoms - particularly the freedom of movement for persons - and as such constitutes an obstacle to the functioning of the internal market; calls on the Commission to encourage the Member States to review their transitional provisions regulating access to their labour markets in order to eliminate differences between European citizens in this respect;
9. Regrets that Directives 2000/43/EC and 2000/78/EC do not cover differences in treatment of a discriminatory nature based on physical criteria such as height or complexion, particularly in relation to access to jobs where there is no direct link between those physical characteristics and the skills required to perform the jobs concerned;
10. Calls for the establishment of national integrated action plans against all forms of discrimination;
11. Calls on the Member States to train officials on matters related to the implementation of the Directives and the Commission to set up European programmes for exchanges between the various national administrative bodies;
12. Considers that minority communities, and in particular the Roma community, need specific social protection, since their problems of exploitation, discrimination and exclusion have become even more acute further to enlargement in the areas of education, health, housing, employment and women's rights;
13. Recommends that, as regards access to high-quality education for disadvantaged and Roma children and their unjustified classification as disabled, special attention be paid to fighting all forms of discrimination encountered in the field of education;
14. Recommends that data on complaints and on the outcome of related proceedings should be disaggregated according to the ground of discrimination, which would improve the assessment of the effectiveness of the implementation of the legislation;
15. Recommends that by collecting statistical data, the Member States use appropriate safeguards for the protection of personal data, focus on the representation of different groups in various areas of society and develop policies aiming to ensure equal access to basic rights as well as to civic and political participation;
16. Calls on the Commission to conduct a study examining which Member States have enacted positive action provisions and how they have applied them;

17. Urges the Commission to issue as soon as possible a proposal for a horizontal directive implementing the principle of equal treatment outside the scope of employment, including access to goods, services and housing, education, social protection and social advantages, immigration and asylum, and covering all grounds of discrimination set out in Article 13 of the EC Treaty; deeply regrets that the Commission has indicated that it does not intend to put forward proposals to complete the anti-discrimination package, as requested repeatedly by Parliament and as announced in the Annual Policy Strategy for 2008, but instead appears to intend to limit further proposals to those prohibiting discrimination on the grounds of disability;
18. Notes with concern that while 19 Member States have signed Protocol No12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, only 5 have ratified that Protocol.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	27.3.2008
Result of final vote	+: 21 -: 15 0: 1
Members present for the final vote	Alexander Alvaro, Philip Bradbourn, Carlos Coelho, Esther De Lange, Gérard Deprez, Agustín Díaz de Mera García Consuegra, Bárbara Dührkop Dührkop, Armando França, Patrick Gaubert, Roland Gewalt, Jeanine Hennis-Plasschaert, Lívia Járóka, Ewa Klamt, Magda Kósáné Kovács, Wolfgang Kreissl-Dörfler, Stavros Lambrinidis, Henrik Lax, Roselyne Lefrançois, Sarah Ludford, Javier Moreno Sánchez, Rareş-Lucian Niculescu, Athanasios Pafilis, Martine Roure, Inger Segelström, Csaba Sógor, Vladimir Urutchev, Ioannis Varvitsiotis, Manfred Weber, Tatjana Ždanoka
Substitute(s) present for the final vote	Edit Bauer, Sophia in 't Veld, Jean Lambert, Marian-Jean Marinescu, Antonio Masip Hidalgo, Bill Newton Dunn, Nicolae Vlad Popa
Substitute(s) under Rule 178(2) present for the final vote	Manolis Mavrommatis

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	2.4.2008
Result of final vote	+: 29 -: 19 0: 2
Members present for the final vote	Jan Andersson, Edit Bauer, Iles Braghetto, Philip Bushill-Matthews, Milan Cabrnach, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Luigi Cocilovo, Proinsias De Rossa, Harlem Désir, Harald Ettl, Richard Falbr, Carlo Fatuzzo, Ilda Figueiredo, Stephen Hughes, Karin Jöns, Ona Juknevičienė, Raymond Langendries, Bernard Lehideux, Elizabeth Lynne, Thomas Mann, Jan Tadeusz Masiel, Jiří Maštálka, Elisabeth Morin, Csaba Öry, Marie Panayotopoulos-Cassiotou, Pier Antonio Panzeri, Rovana Plumb, Jacek Protasiewicz, Bilyana Ilieva Raeva, Elisabeth Schroedter, José Albino Silva Peneda, Kathy Sinnott, Jean Spautz, Gabriele Stauner, Ewa Tomaszewska, Anne Van Lancker, Gabriele Zimmer
Substitute(s) present for the final vote	Jean Marie Beaupuy, Beniamino Donnici, Donata Gottardi, Richard Howitt, Magda Kósáné Kovács, Sepp Kusstatscher, Jamila Madeira, Ria Oomen-Ruijten, Kyriacos Triantaphyllides, Anja Weisgerber, Tatjana Ždanoka