

**FINAL VERSION**

*Report:* TRAUTMANN (A6-0321/2008) [\*\*\*I]  
Electronic communications networks and services



*Committee:* Industry, Research and Energy

Subject of the amendment	Am No	Author	RCV etc.	Vote	Remarks
<i>Amendments by the committee responsible -block vote</i>	1-60 62-63 65 67-69 71-97 99 101-119 121-125	<i>committee</i>		<b>0</b>	-
<i>Amendments by the committee responsible - separate votes</i>	98	<i>committee</i>	split		
			1RCV	<b>0</b>	no objections on this part
			2RCV	--	restrictions on access to services and applications endangers net neutrality
	100	<i>committee</i>	split		
			1	+	no objections on this part, and even some good support for interoperability
			2	--	obligations about "intellectual property rights" (paragraph 2, point e) is out-of-scope
	120	<i>committee</i>	RCV	++	deletion is good, since relation with EUCD and IPRED is out-of-scope

Subject of the amendment	Am No	Author	RCV etc.	Vote	Remarks	
Article 1, point 8, point e	139	Greens/ EFA		++	restrictions subject to criminal law imposed for reasons of public policy, public security or public morality	
	130= 142=	IND/DEM EUL/NGL		++	delete "lawful"	
	61	<i>committee</i>	split			
			1	-	can still be dangerous with reference to Universal Service directive if amendment 112 Harbour is voted	
			2	--	notion of "lawful" threatens net neutrality and is out-of-scope of Telecoms Package	

Subject of the amendment	Am No	Author	RCV etc.	Vote	Remarks	
Article 1, point 8, after point e	132= 137=	40+ MEPs EPP-ED	split <i>withdrawn</i>			
			1RCV	-	as EDPS has recommended, cooperation between ISP and copyright industry can be good if completed by an amendment to clarify that it should not allow for systematic and proactive surveillance of Internet usage	
			2RCV	--	opens door to 3-strikes approach by "joint-industry solutions"	
	138	40+ MEPs	split			
			-	+	<i>oral amendment</i>	
			1RCV	+++	<b>restore judicial authority</b>	
			2RCV	+	<b>restore judicial authority with reference to ECHR</b>	
			3RCV	++	<b>restore judicial authority with exceptions imposed by subsidiarity principle</b>	
	131	IND/DEM	RCV	++	restrictions can only be dictated by force majeure, network integrity and security or criminal law imposed for reasons of public policy, public security or public morality	
	143	EUL/NGL		++	restrictions can only be dictated by force majeure, network integrity and security or criminal law imposed for reasons of public policy, public security or public morality	
	Article 1, point 9	134	EPP-ED	<i>withdrawn</i>		
		64rev	<i>committee</i>		--	"cultural and media policy objectives" opens door to filtering, stick to "promotion of cultural and linguistic diversity"
Article 1, point 10 (Article 9, § 1)	66CP	<i>committee</i>		<b>0</b>	-	
	128	IND/DEM	RCV	<b>0</b>	-	
Article 1, point 10 (Article 9, § 2)	129	IND/DEM	RCV	<b>0</b>	-	
	66CP	<i>committee</i>		<b>0</b>	-	

Subject of the amendment	Am No	Author	RCV etc.	Vote	Remarks
Article 1, point 13 (Article 12, title and § 1)	135	EPP-ED		<b>0</b>	-
	70CP	<i>committee</i>		<b>0</b>	-
Article 1, point 13 (Article 12, § 2a, 2b and 2c)	70CP	<i>committee</i>		<b>0</b>	-
Article 1, point 13 (Article 12, § 3)	136	EPP-ED		<b>0</b>	-
	70CP	<i>committee</i>		<b>0</b>	-
Article 1, point 16, point d	126	ALDE	RCV	<b>0</b>	-
<b>Article 1, after point 24</b>	<b>133rev</b>	<b>EUL/NGL</b>	<b>RCV</b>	<b>++</b>	<b>prevents Internet filtering</b>
Article 2, point 8, after point b	141rev	Greens/ EFA		<b>++</b>	delete obligations about "intellectual property rights"
After Recital 27	127	ALDE		<b>0</b>	-
<b><i>vote: amended proposal</i></b>				<b>0</b>	<b>Subject to adoption or rejection of amendments following this voting list, specially adoption of 138 &amp; 133</b>
<b><i>vote: legislative resolution</i></b>			RCV	<b>0</b>	<b>Subject to adoption or rejection of amendments following this voting list, specially adoption of 138 &amp; 133</b>

Erratum ALL versions

=identical amendments

cp = corresponding part

Amendment 140 has been cancelled

There are revised versions of amendments 14, 53, 63, 64, 67, 73, 108, 117, 133 and 141

Amendment 132 has been tabled by MEP Toubon ao

Amendment 138 has been tabled by MEP Bono ao

Requests for roll-call votes

EUL/NGL am 133

Greens/ EFA ams 98, 132, 138

IND/DEM ams 126, 128, 129, 131, 132, final vote

ALDE am 120

Requests for split votes

PES

am 138

*1st part:* "applying the principle ... judicial authorities"

*2nd part:* "except where dictated ... or public morality;"

Greens/ EFA

am 61

*1st part:* Text as a whole excluding the words "and for this purpose ... lawful content"

*2nd part:* these words

am 98

*1st part:* Text as a whole excluding the words "restrictions ... policies"

*2nd part:* these words

am 100

*1st part:* Everything except paragraph 2e)

*2nd part:* paragraph 2e)

am 132

*1st part:* "(ea) In paragraph 4 ... creative content industries"

*2nd part:* "in order to foster ... codes of conduct"

am 138

*1st part:* Text as a whole excluding the words "notably in accordance ... expression and information"

*2nd part:* these words

### **Miscellaneous**

The rapporteur will move the following oral amendment to amendment 138:

(ga) applying the principle that no restrictions may be imposed on the **FUNDAMENTAL** rights and freedoms of end-users, without prior ruling by the judicial authorities;

The EPP-ED Group withdraws its amendments 134 and 137

### **Voting scheme - Am. 138**

*1st part:* "applying the principle ... judicial authorities" excluding "notably in accordance ... expression and information"

*2nd part:* "notably in accordance ... expression and information"

*3rd part:* "except where ... public morality"