

- (d) after being released on probation in December 1976, he became one of the organizers of the Charter '77 and from April 1978 one of its three spokesmen,
  - (e) he was again arrested in October 1978 and sentenced to nine months' imprisonment,
  - (f) a new trial is scheduled at which Mr Sabata is likely to be sentenced to 18 additional months' imprisonment, i.e. to serve the rest of the 1971 sentence during which he was released on probation,
  - (g) Mr Sabata is seriously ill and further imprisonment could put his life at risk,
- requests the Czechoslovakian authorities, in the interests of respect for human rights and freedom of expression, to refrain from all further proceedings and to release Mr Sabata immediately.

#### **Appointment of a Community Ombudsman (vote)**

Parliament adopted the resolution contained in the Walker-Smith report (Doc. 29/79):

#### **RESOLUTION**

##### **on the appointment of a Community Ombudsman by the European Parliament**

#### *The European Parliament,*

- having regard to the report of the Legal Affairs Committee and the opinion of the Political Affairs Committee (Doc. 29/79),
  - conscious that Community law increasingly affects the lives of Community citizens,
  - aware that existing means of redress for citizens in respect of action by public authorities in the administration of Community law are not always adequate,
  - noting that experience in many countries has shown that an independent extra-judicial institution such as the Ombudsman can provide a flexible and effective system for controlling the executive, ensuring that the law is justly applied, and protecting the citizen,
  - recognizing that the establishment of a Community Ombudsman would probably require the use of the lengthy procedure for amendment of the Community Treaties and involve considerable delays,
1. Decides that as a matter of principle it is desirable to institute a Parliamentary Commissioner with the task of examining complaints on behalf of the Community citizen and advising him on the means of redress available;
  2. Instructs its Committee on the Rules of Procedure and Petitions to report on the procedure to be followed for the appointment of the Parliamentary Commissioner and on how his responsibilities are to be defined in relation to those of the Committee on Rules of Procedure and Petitions;
  3. Instructs its President to take all appropriate steps to enable Parliament to appoint the Commissioner as soon as possible;

4. Instructs its President to send this resolution and the report of its committee to the Council and Commission and, for information, to the national ombudsmen, parliaments and governments of the Member States.

**Directive on auditing of accounts of limited liability companies (vote)**

Before voting on the motion for a resolution contained in the Shaw report (Doc. 173/79), Parliament considered the amendments tabled to the proposal for a Directive.

On Article 2 (2) (a), second indent, Mr Shaw had tabled amendment No 3 seeking to modify this indent.

Amendment No 3 was adopted.

On Article 4 (1), Mr de Gaay Fortman had tabled amendment No 5 seeking to modify this paragraph.

The rapporteur spoke.

Amendment No 5 was adopted.

On Article 5 (3), Mr Broeks had tabled amendment No 1 seeking to replace this paragraph by a new text.

The rapporteur spoke.

Amendment No 1 was rejected.

On Article 11 (1), Mr Broeks had tabled amendment No 2 seeking to enlarge this paragraph.

The rapporteur spoke.

Amendment No 2 was rejected.

Parliament then considered the motion for a resolution; the preamble and paragraphs 1 and 2 were adopted.

On paragraph 3, Mr Sieglerschmidt had tabled, on behalf of the Socialist Group, amendment No 4/corr. seeking to delete this paragraph.

The rapporteur spoke.

Amendment No 4/corr. was rejected.

Parliament adopted paragraph 3, then paragraphs 4 to 18.

Parliament adopted the following resolution:

**RESOLUTION**

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for an Eighth Directive pursuant to Article 54 (3) (g) of the EEC Treaty concerning the approval of persons responsible for carrying out statutory audits of the annual accounts of limited liability companies**

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 54 of the EEC Treaty (Doc. 127/78),
- having regard to the report of the Legal Affairs Committee and the opinion of the Committee on Economic and Monetary Affairs (Doc. 173/79),

<sup>(1)</sup> OJ No C 112, 13. 5. 1978, p. 6.