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## Information and Notices

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2016–2017 SESSION

Sittings of 11 to 14 April 2016

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*Key to symbols used*

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure: first reading
- \*\*\*II Ordinary legislative procedure: second reading
- \*\*\*III Ordinary legislative procedure: third reading

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments by Parliament:

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

**EUROPEAN PARLIAMENT**

2016–2017 SESSION

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TEXTS ADOPTED

Tuesday 12 April 2016

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

P8\_TA(2016)0100

**United Nations Convention on the Law of the Sea: fisheries aspects**

**European Parliament resolution of 12 April 2016 on Fisheries aspects within the international agreement on marine biodiversity in areas beyond national jurisdiction, United Nations Convention on the Law of the Sea (2015/2109(INI))**

(2018/C 058/01)

*The European Parliament,*

- having regard to the United Nations Convention on the Law of the Sea (UNCLOS) and its two implementing agreements: the Part XI Implementation Agreement and the United Nations Fish Stocks Agreement (UNFSA),
- having regard to the UN General Assembly resolution on the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (ABNJ),
- having regard to the outcome document of the UN Conference on Sustainable Development, held in Rio de Janeiro in 2012, entitled 'The Future We Want',
- having regard to the UN Ad Hoc Open-ended Informal Working Group reports,
- having regard to the Convention on Biological Diversity (CBD) and to the Aichi Biodiversity Targets adopted by the parties to the CBD, and in particular Targets 6, 10 and 11,
- having regard to the 2009 Azores Scientific Criteria and Guidance for identifying ecologically or biologically significant marine areas (EBSA) and designing representative networks of marine protected areas in open ocean waters and deep sea habitats of the CBD,
- having regard to the CBD process for the description of EBSAs, which has already led to the description of 204 areas that meet the criteria, many of which are located in ABNJ,
- having regard that while EBSAs have been described in the Southern Indian Ocean, Eastern Tropical and Temperate Pacific, North Pacific, South-Eastern Atlantic, Arctic, North-West Atlantic, Mediterranean, Western South Pacific, Wider Caribbean and Western Mid Atlantic, other regions are not yet covered,



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- having regard to the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Declaration on Sustainable Development and the Plan of Implementation),
  - having regard to the Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries, adopted in October 1995 by the FAO Conference and its associated instruments, in particular the 1995 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas,
  - having regard to the UN 2030 Agenda for Sustainable Development (UNGA A/RES/70/1 adopted in 2015), and the Sustainable Development Goal 14 to conserve and sustainably use the oceans, seas and marine resources for sustainable development,
  - having regard to Goal 14 of the UN sustainable development programme,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A8-0042/2016),
- A. whereas the sea covers 71 % of the Earth's surface and contains 97 % of the planet's water; whereas the sea is home to a significant part of the world's biodiversity much of which is still unexplored;
- B. whereas an estimated 64 % of the sea, notably the high seas and the deep seabed, are areas beyond the national jurisdiction of states and are governed by international law;
- C. whereas the ocean plays an integral role in many of the Earth's systems including climate and weather and is the place where a wide range of human activities are conducted such as fishing, energy, transport and trade;
- D. whereas less than 1 % of areas beyond national jurisdiction are protected as a result of the establishment of marine protected areas, and whereas in the vast majority of ocean regions there is no management framework in place with a legal mandate to establish marine protected areas;
- E. whereas the preservation and conservation of marine biological diversity is a common concern for all humankind and should be treated as such;
- F. whereas the maintenance of healthy marine habitats and sustainable fish stocks is essential for the long-term sustainability of fisheries;
- G. whereas, in 2014, protected ecosystems covered 15,2 % of land and only 8,4 % of marine areas worldwide;
- H. whereas climate change and acidification are exacerbating the negative impact of over-exploitation, pollution, marine litter and the destruction of marine habitats and ecosystems;
- I. whereas the outcome document of the UN Conference on Sustainable Development (Rio de Janeiro, 2012) entitled 'The Future We Want' underlined that protecting and managing the natural resource base of economic and social development are the overarching objectives of and essential requirements for sustainable development;
- J. whereas the seas and oceans have a potential for blue growth that is still largely untapped, such as in the areas of renewable energy and pharmaceutical products, which could also be seen as a valid development path for today's developing countries; whereas a prerequisite for maritime development, and its potential for blue growth, is development of the knowledge of marine species and the marine environment, its bathymetry and the mapping of vulnerable marine ecosystems;

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- K. whereas the conservation of marine biodiversity and its sustainable use are directly connected to long-term sustainable development and therefore have a social, economic and environmental relevance for all countries and territories;
- L. whereas the existing relevant legal framework for areas beyond national jurisdiction, developed more than 30 years ago, based on the doctrine of the freedom of the high seas, requires further elaboration in order to successfully promote the conservation and sustainable use of marine biodiversity in areas beyond jurisdiction;
- M. whereas the number of activities developed in the marine environment has increased in the last decades; whereas we acknowledge the dynamics between the different activities that take place on the high seas and how they affect marine biodiversity;
- N. whereas we acknowledge the interactions and cumulative effects of different activities that take place on the high seas and whereas they have an impact on marine biodiversity;
- O. whereas, in 2004, the UN General Assembly established the Ad Hoc Open-ended Informal Working Group with the purpose of studying and analysing the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;
- P. whereas, in 2011, the Working Group recommended that a process be initiated that would identify gaps and ways forward, including the possible development of a multilateral agreement under UNCLOS, and that the process should address, taken together, marine genetic resources (including questions on the sharing of benefits), measures such as area-based management tools (including marine protected areas), environmental impact assessment processes, capacity-building and the transfer of marine technology;
- Q. whereas the summary by the co-chairs of the 2011 Working Group acknowledged the gap between the scientific process for describing ecologically and biologically significant areas and the actual identification/designation of such areas since no global forum had a formal mandate at that time, and existing regional and sectoral forums were facing legitimacy issues in doing so;
- R. whereas the summary by the co-chairs of the 2011 Working Group noted that there was a general recognition of the limitations and shortcomings of the status quo;
- S. whereas, in the outcome document from Rio+20, in June 2012, heads of state and government committed to address, on an urgent basis, building on the work of the Working Group, and before the end of the 69th session of the UN General Assembly, the issue of the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, including by taking a decision on the development of an international instrument under the Convention on the Law of the Sea;
- T. whereas fishing both as a stand-alone activity and in conjunction with climate change, marine pollution or other human marine activities, has a significant impact on marine biomass and biodiversity, and thus the impact of fishing on marine biodiversity in ABNJ should be comprehensively addressed by all maritime conservation and management measures, in order to avoid or minimise such impacts; whereas, additionally, fisheries are not the only human-induced mortality factor on the oceans resources and should not be the only levy of international action;
- U. whereas, amongst other things, mineral extraction, energy drilling and the use of land space by urban platforms are other mortality factors for fishery resources today, and future maritime development could result in unanticipated mortality factors against which vigilance must be exercised;

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- V. whereas marine biodiversity has already suffered a significant decline; whereas there is a close link between the preservation of fishing opportunities for future generations and the protection of marine biodiversity and conservation of marine ecosystems;
- W. whereas sustainable and selective fishing techniques are a vital tool for the sustainable management of fishery resources and for minimising incidental catches, thereby helping to conserve marine biodiversity;
- X. whereas coordination and consultation between all actors concerned in maritime activity is vital to ensure the conservation of marine biological diversity and sustainable use of resources;
- Y. whereas the EU's outermost regions have, by their very nature, special geographical and sometimes geopolitical circumstances and are included in specific regional cooperation mechanisms;
- Z. whereas fisheries are a very important activity that take place both in national jurisdiction areas and in those beyond this jurisdiction;
- AA. whereas the EU plays a key role in the world governance of the seas and oceans and exerts great influence internationally with regard to fisheries, also because of its participation in 17 regional fisheries management organisations (RFMOs); whereas this leading role implies that the EU is responsible for adopting a proactive policy regarding the protection of marine biodiversity worldwide;
- AB. whereas the UNFSA, which establishes the rights and obligations of state parties with respect to the conservation and management of straddling and highly migratory fish stocks, is a comprehensive and forward-thinking document that should not be changed, undermined or watered down and whose full implementation must be ensured through the enhanced cooperation processes to be adopted in the new international instrument;
- AC. whereas lessons should be learned from the EU's recent disagreements with the Faroe Islands and Iceland, in order to enable stocks to be managed sustainably worldwide;
- AD. whereas every country has the right to benefit from the conservation and sustainable use of their resources, as provided for by the UNCLOS;
- AE. whereas we recognise the obligation of the states to protect and preserve the marine environment, including the protection of rare and fragile ecosystems and the habitats of vulnerable, depleted, threatened and endangered species and other forms of marine life;
- AF. whereas the UNFSA provides a framework for the application of the precautionary approach and ecosystem-based approaches to fisheries management, for conservation and management measures for straddling and highly migratory fish stocks, for international cooperation, through the work of the regional and sub-regional fisheries management organisations (RFMOs) and arrangements; whereas its effective implementation should be improved;
- AG. whereas UNGA resolutions 61/105 and 64/72 call upon states and RFMOs to adopt a range of measures to ensure the effective conservation of deep sea resources and to prevent bottom fishing from having a significant adverse impact on vulnerable marine ecosystems (VMEs) in ABNJ;
- AH. whereas we recognise and support the rights and special requirements of developing states in the context of capacity-building in order for them to be able to benefit from the conservation and sustainable use of resources and of straddling fish stocks and highly migratory fish stocks;

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- AI. whereas the course of action of the so-called 'Kobe Process' recognises the efforts already made by those RFMOs which manage tuna stocks and that have undertaken independent performance reviews, and calls on those RFMOs to regularly undertake such reviews and make the results publicly available and fully implement the recommendations made by them; whereas authorities such as the UNGA and COFI have also called on the other RFMOs to do likewise and whereas those reviews have been conducted;
- AJ. whereas RFMOs are in place and some are working towards establishing marine protected areas in order to conserve and restore fish stocks to a sustainable level;
- AK. whereas the CBD has facilitated a series of workshops to describe EBSAs including in ABNJ and the results of these workshops are now widely available for management consultation purposes on a CBD website;
- AL. whereas the need for gathering and sharing scientific data and knowledge is of the utmost importance in order to take decisions in good faith and based on the best available scientific advice;
- AM. whereas the environmental problem of plastic marine litter poses a direct threat to maritime diversity, and whereas the extent and means of combating the problem remain inadequately researched, and whereas overcoming it might prove to be an economic opportunity;
- AN. whereas the Working Group, in its document of 23 January 2015, stressed the need for the comprehensive global regime to better address the conservation and management of marine biological diversity in areas beyond national jurisdiction;
- AO. whereas the EU actively develops and encourages best practices in order to accomplish a sustainable use of fish stocks, and through its programs like Horizon 2020 encourages and finances data collection, research and sustainable development;
- AP. whereas, on 23 January 2015, the Working Group expressed support for a recommendation to develop an international legally binding instrument under the Convention;
- AQ. whereas, on 19 June 2015, the UNGA adopted a resolution on the development of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction;
1. Welcomes the decision taken by the UNGA to develop an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity in ABNJ in order, amongst other things, to address the current shortcomings; stresses that this process will not undermine existing relevant instruments and frameworks nor relevant global, regional and sectorial bodies (e.g. RFMOs); highlights the importance of making swift yet careful progress in developing this new instrument and of achieving the aim of finalising the draft text by the end of 2017;
  2. Highlights the vision, the opportunity and the consequences for good relations between the states and for the sustainable exploitation of the resources under UNCLOS, while recognising that the new pressures and opportunities require that adjustments be made;

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3. Stresses the importance of the conservation and sustainable use of the oceans and seas and of their resources; calls on the EU and the international community to promote conservation and sustainable use of marine biodiversity by implementing, among other measures, modern and sustainable concepts of marine ecosystem management, principles of ocean governance, managing the exploitation of marine resources (be it exploitation of minerals, energy drilling, etc.) and fisheries, incorporating science-based marine governance, restoring and maintaining stocks above levels which are capable of producing maximum sustainable yield, ecosystem-based management and conservation of marine biodiversity, enforcement of existing legislation, and the precautionary approach;
4. Points out that in order to deal with the pressure on marine biodiversity by 2020, Member States will have to take steps to implement management plans, monitor the application of the rules, deepen their knowledge base and strengthen research networks and the coordination of information on marine biodiversity;
5. Recognises and supports the positive and leading role played by the EU and the Commission, taking into consideration the major actor position of the EU fishing industry and market and the fact that the European fisheries policy is geared towards sustainability;
6. Recognises the important role that the EU has been playing in securing the sustainable management of marine living resources, particularly in the fight against illegal, unreported and unregulated (IUU) fishing; stresses that IUU fishing, by its very nature, is a threat to marine biodiversity and seriously undermines the preservation of marine ecosystems; points out that the EU has made combating IUU fishing a priority and that international cooperation is paramount in order for the fight to succeed; encourages the FAO and RFMOs to strengthen their efforts to improve multilateral cooperation;
7. Highlights the positive role of environmental labelling in the seafood products sector, which enables consumers to contribute to the sustainability of resources and the preservation of marine biodiversity, whilst making an informed choice;
8. Encourages the Commission to further promote, coordinate, and ensure that the impact of human activities, including fisheries and all forms of sea bed and ocean exploitation, on biodiversity in ABNJ is effectively addressed within the context of this new international agreement; notes therefore the need to further promote the enforcement of existing legislation and to develop the necessary management tools to ensure coherence and consistency;
9. Encourages RFMO to ensure full implementation of their recommendations, to continue to undertake regular independent assessment and to ensure proper implementation of such assessments;
10. Urges the Commission to support and promote a holistic and comprehensive approach with regard to marine protected areas (MPAs) because no genuine coordination and cooperation on conservation efforts is possible without the participation of the widest possible circle of stakeholders involved in a comprehensive variety of human marine activities in oceans and seas;
11. Encourages and urges the Commission and Member States to promote the designation and implementation of EBSA in ABNJ;
12. Urges the Commission to work with all the relevant stakeholders to continue to support and promote, within the context of the new international agreement under UNCLOS, the development of an institutional mechanism for the designation, management and establishment of necessary provisions concerning monitoring and enforcement of connected, coherent, workable and representative networks of MPAs as essential tools to ensure ecological and biological connectivity;

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13. Calls on the Commission to process a set of comprehensive data on marine biodiversity in Europe's regional seas; takes the view that it is a necessary challenge to collect that data, given that 80 % of species and habitats covered by the Marine Strategy Framework Directive are classified as unknown;
  14. Calls for the EU to take a leading role in combating plastic marine litter and for the relevant research to be funded under the blue economy;
  15. Stresses that this new international agreement should secure a level playing field among all stakeholders; considers that the new international agreement should, moreover, address the specific needs of developing countries, in particular small island states, in terms of capacity-building with a view to achieving the goals of the international community concerning MPAs, among other things;
  16. Urges the Commission to promote enhanced cooperation, coordination, transparency and accountability between all concerned stakeholders, including between the new instruments negotiated, the existing UNFSA and FAO instruments, RFMOs and other sectoral bodies such as, inter alia, the International Seabed Authority and the International Maritime Organisation;
  17. Calls on the UN to work with states to implement more effectively existing rules, and where necessary to create additional rules that could indirectly help protect biodiversity on the high seas and improve social, safety and monitoring conditions, such as the establishment of global management tools, i.e. a centralised instrument for vessel registration such as the Global Record of Fishing Vessels being developed under the authority of the FAO, but avoiding an increase in the bureaucratic burden for fishermen;
  18. Stresses that the impacts of fisheries on marine biodiversity in ABNJ will need to be part of the RFMOs mandate;
  19. Urges the Commission and Member States to support and promote, within the mandate of the new international agreement under UNCLOS, the development of an institutional mechanism for the implementation of prior Environmental Impact Assessment for activities with a potential significant impact on the marine environment, as required under Article 206 UNCLOS, including for the exploitation of marine resources, with a solid scientific basis as far as practicable and that these activities are accompanied by detailed environmental and socio-economic monitoring;
  20. Calls on the Commission, in the context of the new international agreement, to push for recognition of environmental damage at sea and identification of the chain of responsibility for such damage;
  21. Urges the Commission to call upon states that have not done so to ratify or accede to the UNCLOS;
  22. Instructs its President to forward this resolution to the United Nations General Assembly (UNGA) and to the preparatory committee responsible for drafting the text of the future international agreement.
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Tuesday 12 April 2016

P8\_TA(2016)0102

**The situation in the Mediterranean and the need for a holistic EU approach to migration****European Parliament resolution of 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration (2015/2095(INI))**

(2018/C 058/02)

*The European Parliament,*

- having regard to the Geneva Convention of 1951 and the additional protocol thereto, and in particular the right to non-refoulement,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Convention on the Rights of the Child of 1989 and to the European Parliament resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child <sup>(1)</sup>,
- having regard to the United Nations Convention on the Law of the Sea of 1982, the International Convention for the Safety of Life at Sea of 1974 and the International Convention on Maritime Search and Rescue of 1979 as amended,
- having regard to the International Convention on the Protection of the Rights of all migrant workers and members of their families of 1990,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the Commission Communication ‘Action Plan on Unaccompanied Minors (2010-2014)’ (COM(2010)0213) and to the European Parliament resolution of 12 September 2013 on the situation of unaccompanied minors in the EU <sup>(2)</sup>,
- having regard to its resolution of 29 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies <sup>(3)</sup>,
- having regard to its resolution of 10 September 2015 on migration and refugees in Europe <sup>(4)</sup>,
- having regard to the debates held in the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs in 2015: on 14 April in the presence of Commissioner Avramopoulos; on 6 May on solidarity and fair sharing of responsibility, including search and rescue obligations; on 26 May on the strategy on cooperation with third countries; on 4 June on developing safe and lawful routes for asylum seekers and refugees into the EU and on the implementation of the Common European Asylum System; on 25 June on tackling criminal smuggling, trafficking and labour exploitation of irregular migrants, developing adequate legal economic migration channels, and border management and visa policy; on 2 July on how Home Affairs funds are spent in the migration and development context; on 6 July on

<sup>(1)</sup> Texts adopted, P8\_TA(2014)0070.

<sup>(2)</sup> OJ C 93, 9.3.2016, p. 165.

<sup>(3)</sup> Texts adopted, P8\_TA(2015)0176.

<sup>(4)</sup> Texts adopted, P8\_TA(2015)0317.

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the first package of Commission proposals following the Agenda on Migration and on solidarity and fair sharing of responsibility, including search and rescue obligations and developing safe and lawful routes for asylum seekers and refugees into the EU; on 16 July in the presence of experts on EU funds for migration policies, on policies, practices and data on unaccompanied minors in the EU Member States and Norway, on EU cooperation with third countries in the field of migration, and on exploring new avenues for legislation for economic migration; on 22 September on the second package of Commission proposals following the Agenda on Migration; on 23 September with national parliaments on the hotspots approach and on addressing migration at the national and local level; on 19 October on tackling smuggling, trafficking and labour exploitation of irregular migrants; on 10 November on the Commission communication entitled 'Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the Agenda on Migration' (COM(2015)0510); on 19 November on the EU internal and external funding related to its migration and asylum policy; on 10 December on EU cooperation with third countries in the field of migration; on 21 December on border management and visa-policy, on effective implementation of the CEAS and on developing adequate legal economic migration channels,

- having regard to the debates held in the joint meeting of its Committee on Civil Liberties, Justice and Home Affairs and Committee on Development on 1 April 2015 on the nexus between development and migration, and in the joint meeting of the Committee on Civil Liberties, Justice and Home Affairs, Committee on Foreign Affairs and Sub-Committee on Human Rights on 15 September 2015 on respecting human rights in the context of migration flows in the Mediterranean,
- having regard to the reports of its Committee on Civil Liberties, Justice and Home Affairs on the visits by its delegations to Lampedusa on search and rescue operations in September 2015 and to Tunisia on cooperation with third countries in the area of migration, asylum and border control in October 2015, and having regard to the report of its Committee on Budgets and Committee on Civil Liberties, Justice and Home Affairs on the visit by their joint delegation to Sicily on how to address the migratory pressures in the region, including in particular from a budgetary perspective in July 2015,
- having regard to the Commission Ten Point Action Plan on Migration, presented at the Joint Foreign and Home Affairs Council held in Luxembourg on 20 April 2015,
- having regard to the Commission communication entitled 'A European Agenda on Migration' (COM(2015)0240),
- having regard to Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean,
- having regard to the decision to start the second phase of operation EUNAVFOR Med, renamed Operation Sophia, taken by EU Ambassadors within the Political and Security Committee<sup>(1)</sup>, and having regard to the NATO-led operations in the Aegean Sea,
- having regard to UN Security Council Resolution 2240 (2015) of 9 October 2015,
- having regard to the Commission Communication entitled 'EU Action Plan against migrant smuggling (2015-2020)' (COM(2015)0285),
- having regard to the Commission Staff Working Document on Implementation of the Eurodac Regulation as regards the obligation to take fingerprints (SWD(2015)0150),

<sup>(1)</sup> <http://www.consilium.europa.eu/en/press/press-releases/2015/09/28-eunavfor/>



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- having regard to the Commission recommendation on a European resettlement scheme (C(2015)3560) and to the Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in need of international protection, presented at the Justice and Home Affairs' Council meeting of 20 July 2015,
- having regard to the Commission Explanatory note on the 'Hotspot' approach, and the state of play reports on Greece and Italy of 10 February 2016, as well as the Progress report on Greece of 4 March 2016,
- having regard to Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece,
- having regard to Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece,
- having regard to the Commission proposal for a regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third country national or a stateless person (COM(2015)0450),
- having regard to the Commission proposal for a regulation of the European Parliament and of the Council establishing an EU common list of safe countries of origin for the purposes of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, and amending Directive 2013/32/EU (COM(2015)0452),
- having regard to the Commission communication entitled 'EU Action Plan on Return' (COM(2015)0453),
- having regard to the Commission recommendation establishing a common 'Return Handbook' to be used by Member States' competent authorities when carrying out return related tasks (C(2015)6250) and its Annex,
- having regard to the Commission communication entitled 'Public procurement rules in connection with the current asylum crisis' (COM(2015)0454),
- having regard to the joint communication from the European Commission and the High Representative entitled 'Addressing the Refugee Crisis in Europe: The Role of EU External Action' (JOIN(2015)0040),
- having regard to the Commission Decision on the establishment of a European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa (C(2015)7293),
- having regard to the Commission communication entitled 'Managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration' (COM(2015)0490) and its Annexes,
- having regard to the Commission communication entitled 'Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration' (COM(2015)0510) and its Annexes,
- having regard to the Commission communication entitled 'A European Border and Coast Guard and effective management of Europe's external borders' (COM(2015)0673) and to the Proposal for a regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC (COM(2015)0671), to the Proposal for a regulation of the European Parliament and of the Council on a European travel document for the return of illegally staying third-country nationals (COM(2015)0668), to the Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 as regards the reinforcement of checks against relevant databases at external borders (COM(2015)0670), to the Commission Proposal for a Council Decision establishing provisional measures in the area of international protection for the benefit of Sweden in accordance with Article 9 of Council Decision (EU) 2015/

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1523 and Article 9 of Council Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (COM(2015)0677), and to the Commission Recommendation for a voluntary humanitarian admission scheme with Turkey (C(2015)9490),

- having regard to the Communication from the Commission to the European Parliament and the Council on the state of play of implementation of the priority actions under the European Agenda On Migration (COM(2016)0085),
- having regard to the Commission Recommendation addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No 604/2013 (C(2016)0871),
- having regard to the proposal for a Council Implementing Decision on the temporary suspension of the relocation of 30 % of applicants allocated to Austria under Council Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (COM(2016)0080),
- having regard to the Communication from the Commission to the European Parliament, the European Council and the Council entitled 'Back to Schengen — A roadmap' (COM(2016)0120),
- having regard to the Report from the Commission to the European Parliament and the Council entitled 'Second Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap' (COM(2016)0140) and the accompanying Commission Staff Working Document (SWD(2016)0097),
- having regard to the proposal for a Council Regulation on the provision of emergency support within the Union (COM(2016)0115) and the upcoming amending budget No 1/ 2016 to create the budget line for this instrument,
- having regard to the Conclusions adopted by the European Council at its special meeting of 23 April 2015, at its meeting of 25 and 26 June 2015, at the informal meeting of EU Heads of State or Government on migration of 23 September 2015, at its meeting of 15 October 2015, at its meeting of 17 and 18 December 2015, and at its meeting of 18 and 19 February 2016,
- having regard to the Conclusions adopted by the Council on safe countries of origin at its meeting of 20 July 2015, on migration at its meeting of 20 July 2015, on the future of the return policy at its meeting of 8 October 2015, on migration at its meeting of 12 October 2015, on measures to handle the refugee and migration crisis at its meeting on 9 November 2015, and on statelessness at its meeting of 4 December 2015, and on migrant smuggling at its meeting of 10 March 2016,
- having regard to the Presidency conclusions adopted on 14 September 2015,
- having regard to the conclusions adopted by the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in clear need of international protection at their meeting on 20 July 2015,
- having regard to the EU-Turkey Joint Action Plan of 15 October 2015, and its implementation reports of 10 February and 4 March 2016,
- having regard to the Statement by the EU Heads of State or Government of 7 March 2016,
- having regard to the Declaration of the High-Level Conference on the Eastern Mediterranean — Western Balkans Route, adopted on 8 October 2015, and to the leaders' statement on refugee flows along the Western Balkan route adopted at the meeting on 25 October 2015 and to its progress report of 10 February 2016,

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- having regard to the Action Plan and Political Declaration adopted at the European Union-Africa Summit on Migration, held in Valletta on 11 and 12 November 2015,
- having regard to the work and reports of the European Asylum Support Office (EASO), and in particular to their Annual Report on the Situation of Asylum in the European Union 2014 and to the monthly Asylum Trends,
- having regard to the work and reports of Frontex, and in particular to their Annual Risk Analysis 2015 and their Risk Analysis Network Quarterly Reports,
- having regard to the work and reports of Europol, and in particular to Joint Operational Team MARE, and the establishment of the European Migrant Smuggling Centre (EMSC) by Europol,
- having regard to the work and reports of Eurojust, and in particular to its reports on trafficking in human beings,
- having regard to the work, annual reports and studies of the Fundamental Rights Agency (FRA), and in particular to their studies on severe forms of labour exploitation and on criminalisation of migrants in an irregular situation and of persons engaging with them,
- having regard to the Policy Department C studies on the implementation of Article 80 TFEU, on new approaches, alternative avenues and means of access to asylum procedures for persons seeking international protection, on exploring new avenues for legislation for labour migration to the EU, on enhancing the Common European Asylum System and Alternatives to Dublin, on EU cooperation with third countries in the field of migration, and on the Reception of Female Refugees and Asylum Seekers in the EU, and having regard to the Policy Department D study on EU funds for Migration policies: Analysis of Efficiency and best practice for the future, and to the Policy Department EXPO study on Migrants in the Mediterranean: protecting human rights,
- having regard to the studies by the European Migration Network (EMN), and in particular to their study on policies, practices and data on unaccompanied minors,
- having regard to the work and reports of the UN High Commissioner for Refugees,
- having regard to the work and reports of the UN Special Rapporteur on the Human Rights of Migrants,
- having regard to the work, reports and resolutions of the Council of Europe,
- having regard to the work and reports of the International Organization for Migration,
- having regard to the work and reports of the UN Office on Drugs and Crime,
- having regard to the Opinion of the European Committee of the Regions — European Agenda on Migration, adopted at its 115<sup>th</sup> plenary session of 3-4 December 2015,
- having regard to the Opinions of the European Economic and Social committee on the European Agenda on migration and on the EU action plan against migrant smuggling,
- having regard to its resolution of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration <sup>(1)</sup>,
- having regard to the working document on Article 80 — Solidarity and fair sharing of responsibility, including search and rescue obligations,

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<sup>(1)</sup> Texts adopted, P8\_TA(2014)0105.

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- having regard to the working document on tackling criminal smuggling, trafficking and labour exploitation of irregular migrants,
  - having regard to the working document on border management and visa-policy, including the role of Frontex and other relevant agencies,
  - having regard to the working document on developing safe and lawful routes for asylum seekers and refugees into the EU, including the Union resettlement policy and corresponding integration policies,
  - having regard to the working document on developing adequate legal economic migration channels,
  - having regard to the working document on the EU internal and external funding related to its migration and asylum policy,
  - having regard to the working document on effective implementation of the Common European Asylum System (CEAS), including the role of EASO,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Foreign Affairs, the Committee on Development, the Committee on Budget, the Committee on Employment and Social Affairs, the Committee on Transport and Tourism, the Committee on Regional Development, the Committee on Women's Rights and Gender Equality and the Committee on Petitions (A8-0066/2016),
- A. whereas in its resolution of 17 December 2014, it instructed the Committee of Civil Liberties, Justice and Home Affairs to assess the various policies at stake, develop a set of recommendations and report to Plenary in the form of a strategic initiative report;
- B. whereas according to Frontex data <sup>(1)</sup>, in 2015 1,83 million persons were detected while attempting to cross irregularly the EU's external borders, setting an unprecedented record compared to the 282 500 migrants who arrived in the Union in the course of the whole 2014; and whereas, according to IOM/UNICEF data, around 20 % of all migrants arriving by sea are children <sup>(2)</sup>;
- C. whereas according to EASO data <sup>(3)</sup>, in 2015 over 1,4 million applications for international protection were lodged in the EU+ <sup>(4)</sup>, with numbers rising steadily since April, while the share of repeated applications has been decreasing; and whereas around 6 % of applicants claimed to be unaccompanied minors; whereas in February 2016, 22 % of the sea arrivals in Greece were women and 40 % children <sup>(5)</sup>;
- D. whereas, for the purposes of the UN Convention on the Rights of the Child, a child means every human being below the age of eighteen years;

<sup>(1)</sup> Frontex news, <http://frontex.europa.eu/news/number-of-migrants-arriving-in-greece-dropped-by-half-in-november-cITv3V>.

<sup>(2)</sup> IOM and UNICEF, Data Brief: Migration of Children to Europe, [http://www.iom.int/sites/default/files/press\\_release/file/IOM-UNICEF-Data-Brief-Refugee-and-Migrant-Crisis-in-Europe-30.11.15.pdf](http://www.iom.int/sites/default/files/press_release/file/IOM-UNICEF-Data-Brief-Refugee-and-Migrant-Crisis-in-Europe-30.11.15.pdf).

<sup>(3)</sup> EASO Newsletter, November-December 2015, [https://easo.europa.eu/wp-content/uploads/EASO-Newsletter-NOV-DEC\\_-20151.pdf](https://easo.europa.eu/wp-content/uploads/EASO-Newsletter-NOV-DEC_-20151.pdf).

<sup>(4)</sup> The EU+ is composed of EU-28 plus Norway and Switzerland.

<sup>(5)</sup> UNHCR — Greece data snapshot — 7 March 2016.

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- E. whereas in 2015 over 3 771 persons were reported dead or missing in the Mediterranean Sea, according to the International Organisation for Migration <sup>(1)</sup>; and whereas up to 8 March 2016, 444 persons had been reported as drowned in the Mediterranean; whereas in the first nine weeks of 2016, 77 children died — an average exceeding one per day; whereas according to recent Europol data at least 10 000 unaccompanied children have disappeared after arriving in Europe;
- F. whereas 3 October should be recognised as a Day of Remembrance for all the men, women and children who perish while attempting to flee their countries as a result of persecution, conflict and war, as well as all the men and women who risk their lives every day in order to save them;
- G. whereas some parts of the world are affected by war and violence and suffer the combined effects of extreme poverty, environmental degradation and a lack of opportunities for young people, which can engender more violence and insecurity and lead to further population movements;

**Article 80 TFEU — Solidarity and fair sharing of responsibility, including search and rescue obligations**

- H. whereas Article 80 TFEU puts the principle of solidarity and fair sharing of responsibility at the heart of the whole of the Union system, providing a legal basis for the implementation of these principles in the Union policies on asylum, migration and border control;
- I. whereas solidarity can take the forms of internal and external solidarity; and whereas relocation, mutual recognition of asylum decisions, operational support measures, a pro-active interpretation of the current Dublin Regulation and the Temporary Protection Directive are all tools for internal solidarity, while resettlement, humanitarian admission and search and rescue at sea promote external solidarity, and the civil protection mechanism can target both;
- J. whereas, on 3 March 2016, only 338 of the 39 600 asylum seekers awaiting reassignment from Italian reception facilities to other Member States had actually been relocated, while in the case of Greece 322 out of the 66 400 projected relocations had actually taken place;

**Tackling criminal smuggling, trafficking and labour exploitation of irregular migrants**

- K. whereas migrant smuggling, trafficking and labour exploitation are distinct legal phenomena tackled by distinct legal frameworks at Union and international level, requiring properly targeted responses, while often overlapping in practice; and whereas criminal smuggling and trafficking networks can change their modus operandi very quickly, thus requiring rapidly adapted responses based on the most recent and accurate data; whereas efforts to counter the criminal smuggling of migrants should not affect those providing humanitarian assistance to irregular migrants;
- L. whereas the fight against migrant smuggling, trafficking and labour exploitation necessitates both short, medium and long-term responses, including measures to disrupt criminal networks and to bring criminals to justice, the gathering and analysis of data, measures to protect victims and to return irregularly staying migrants, as well as cooperation with third countries and longer-term strategies to address the demand for trafficked and smuggled persons and the root causes of migration which force people into the hands of criminal smugglers;

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<sup>(1)</sup> IOM, Missing Migrants Project, <http://missingmigrants.iom.int/>

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***Border management and visa policy, including the role of the Borders Agency and other relevant Agencies***

- M. whereas the ordinary legislative procedure is ongoing on numerous Commission proposals in the area of borders and visa policy, in particular on the proposal for a Regulation on the Union Code on Visas (recast) (2014/0094(COD)), the proposal for a regulation establishing a touring visa (2014/0095(COD)) and the proposal for a regulation on Uniform format for visa: security (2015/0134(COD)); and whereas new proposals in this area have recently been launched by the Commission and will be dealt with according to the ordinary legislative procedure;
- N. whereas the abolition of internal border controls must go hand in hand with the effective management of external borders, with high common standards, effective exchange of information between Member States, and full respect for everyone's fundamental rights;
- O. whereas the European Parliament has called for the Union Border Agency to strengthen its capacity to deal with possible violations of fundamental rights, including within the framework of its working arrangements concluded with the competent authorities of third countries, and whereas the Commission proposal for a new Union Border Agency contains a complaint mechanism;
- P. whereas the current Visa Code allows Member States to deviate from the normal admissibility criteria for a visa application 'on humanitarian grounds' (Articles 19 and 25);

***Developing safe and lawful routes for asylum seekers and refugees into the EU, including the Union resettlement policy and corresponding integration policies***

- Q. whereas 86 % of the world's refugee population is hosted by non-industrialised countries; and whereas criminal networks and smugglers exploit the desperation of people trying to enter the Union while fleeing persecution or war;
- R. whereas safe and legal routes for refugees to access the Union are limited, and many continue to take the risk of embarking on dangerous routes; and whereas the creation of new safe and lawful routes for asylum seekers and refugees to enter the Union, building on existing legislation and practices, would allow the Union and the Member States to have a better overview of the protection needs and of the inflow into the Union and to undermine the business model of the smugglers;

***The strategy on cooperation with third countries, in particular on regional protection programmes, resettlement, returns and to address the root causes of migration***

- S. whereas EU-third country cooperation is developed through political instruments such as regional dialogues, bilateral dialogues, common agendas for migration and mobility and mobility partnerships, through legal instruments such as migration clauses in 'global agreements', readmission agreements, visa facilitation agreements and visa exemption agreements, and through operational instruments such as Regional Protection Programmes (RPP), Regional Development and Protection Programmes (RDPP), Frontex working arrangements and EASO cooperation with third countries;
- T. whereas individual Member States continue to develop intense external action on migration at the bilateral level;
- U. Whereas the Union has intensified its external cooperation with third countries in migration and asylum to respond adequately to the current refugee crisis, and has launched new cooperation initiatives such as the EU-Turkey Joint Action Plan, the commitments taken on the Western Balkans Routes and the Action Plan adopted at the Valetta summit;

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***Developing adequate legal economic migration channels***

- V. whereas the working-age population in the Union is projected to decline by 7,5 million by 2020; whereas projections on the development of labour market needs in the Union points to emerging and future shortages in specific fields; and whereas third-country nationals face many difficulties in obtaining recognition of their foreign qualifications, and therefore tend to be over-qualified for their jobs;
- W. whereas the current Union approach to labour migration is fragmented, with numerous directives focusing on specific categories of workers and of third-country nationals who are, under certain conditions, allowed to work; and whereas this approach can only serve to meet short-term, specific needs;

***Analysis on how Home Affairs funds are spent in migration & development context, including emergency funds***

- X. whereas several Union financial instruments exist to fund Member States' and third countries' actions in the area of migration, asylum and border management; whereas in particular funds for Member States are allocated mainly through the Asylum Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF), but whereas numerous other programmes and funds can be used for activities related to migration; and whereas funding to third countries, while allocated mainly through the Development Cooperation Instrument, is administered by numerous Commission Directorates-General and the European External Action Service;
- Y. whereas the existing fragmentation of budget lines and responsibilities can make it difficult to provide a comprehensive overview of how funds are used, and even to quantify exactly how much the Union spends on migration;

***Effective implementation of the Common European Asylum System, including the role of the European Asylum Support Office***

- Z. whereas the Common European Asylum System (CEAS) includes a set of common rules for a common asylum policy, a uniform asylum status and common asylum procedures valid throughout the Union; whereas, however, many alerts, including the infringement decisions adopted by the Commission, show that the CEAS has not been fully implemented in many Member States; whereas implementation is essential in order to harmonise national laws and promote solidarity among Member States, and whereas Member States can seek supporting assistance from EASO to meet the standards required by the CEAS; whereas harmonisation of reception conditions and asylum procedures can avoid stress on countries offering better conditions and are key to responsibility sharing;
- AA. whereas the current mechanisms of the Dublin system have failed to be objective, to establish fair criteria for allocating responsibility for applications for international protection and to provide swift access to protection; whereas the system is not being applied in practice, and explicit derogations have been adopted with two Council decisions on temporary relocation; and whereas the Commission had announced a proposal for a proper revision of the Dublin III Regulation by March 2016;
- AB. whereas Article 3 of the Geneva Convention of 1951 provides that Member States shall not discriminate against refugees on the basis of their race, religion or country of origin;

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***On solidarity***

1. Points out that solidarity must be the principle upon which Union action on migration is based; notes that the principle of solidarity, as set out in Article 80 TFEU, covers asylum, immigration and border control policies; takes the view that Article 80 provides a legal basis 'jointly' with Articles 77-79 TFEU to implement the principle of solidarity in those areas;

***On search and rescue***

2. Starts from the premise that saving lives must be a first priority and that proper funding, at Union and Member State level, for search and rescue operations is essential; notes that there has been an increase in the number of irregular arrivals by sea and an alarming increase in the number of deaths at sea, and that a better European response is still required;

3. Recalls that the saving of lives is an act of solidarity with those at risk, but that it is also a legal obligation under international law, as Article 98 of the United Nations Convention of the Law of the Sea — ratified by all Member States and the Union itself — requires assistance to be given to any person in distress at sea;

4. Takes the view that a permanent, robust and effective Union response in search and rescue operations at sea is crucial to preventing an escalating death toll of migrants attempting to cross the Mediterranean Sea;

5. Suggests, in that respect, that search and rescue capacities must be strengthened, and that Member States' governments must deploy more resources — in terms of financial assistance and assets — in the context of a Union-wide humanitarian operation, dedicated to finding, rescuing and assisting migrants in peril and bringing them to the closest place of safety;

6. Points out that private shipmasters or non-governmental organisations (NGOs) who genuinely assist persons in distress at sea should not risk punishment for providing such assistance; believes that merchant shipping should not provide an option in lieu of Member States and the Union fulfilling their obligations in terms of search and rescue;

***On tackling human trafficking and criminal smuggling***

7. Calls for a clear distinction to be made between those persons who are smuggled into the Union and those who are trafficked into the Union because, while the policy response must be properly integrated, they must also be properly targeted; states that, in general terms, the criminal smuggling of migrants involves facilitating the irregular entry of a person to a Member State, whereas human trafficking involves the recruitment, transportation or reception of a person through the use of violent, deceptive or abusive means, for the purpose of exploitation;

8. Holds that any holistic approach to migration must necessarily contain measures aimed at disrupting the activities of criminal networks involved in the trafficking and smuggling of people;

9. Welcomes the positive role played by navy vessels in saving lives at sea and in disrupting criminal networks to date; supports the aims of navy operations such as Operation Sophia, and stresses the need to protect life, emphasising that all aspects of the operation should ensure that migrant lives are protected;

10. Underlines that military operations should not be the predominate aspect of any holistic approach to migration and reiterates that Operation Sophia must not distract assets already deployed in the Mediterranean from saving lives at sea;



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***On the role of Union agencies in the fight against criminal smuggling***

11. Points out that, since criminals can and do change their modus operandi very quickly, policy responses must adapt to the most recent and accurate data; notes, as a positive step forward, that the Commission adopted a Union Action Plan against Migrant Smuggling on 27 May 2015 ('the Action Plan on Smuggling'), under which it provides for the setting up of a Contact Group of Union Agencies on migrant smuggling, to strengthen their operational cooperation and information exchange;

12. Emphasises that full use should be made of existing instruments, such as the agencies' risk analyses; observes that Union agencies should cooperate fully, but that they also need to step up cooperation with Member States; notes that better coordination of efforts should allow for the collection of data at national level and its onward communication to the Agencies;

***On relocation***

13. Recalls that the process of relocation — that is to say, transferring an applicant for international protection, or a beneficiary of international protection, from one Member State to another — is a practical example of solidarity within the Union; recalls, in addition, that, since 2009, Parliament has been calling for a binding mechanism for the distribution of asylum seekers among all the Member States;

14. Notes that, within the last year, the Council has adopted two decisions on temporary relocation measures in the Union ('Relocation Decisions')<sup>(1)</sup>, and that they involve the transfer of applicants for international protection from Greece and Italy to other Member States; observes that, although the Relocation Decisions do not end the current Dublin rules on allocation of responsibility, they do constitute a 'temporary derogation' from the Dublin rules;

15. Takes the view that the establishment of urgent relocation measures is a move in the right direction, and calls on Member States to fulfil their obligations with regard to those measures as soon as possible;

16. Recalls that, for the purposes of the Relocation Decisions, relocation will cover only those nationalities for which the proportion of positive decisions granting international protection in the Union has been 75 % or more for the preceding three months, on the basis of Eurostat data; notes that the Relocation Decisions will affect a relatively small number of people, and will leave out the large numbers of applicants originating from other third countries who cannot be relocated under those decisions;

17. Is concerned that, under the current Relocation Decisions, Member States of first arrival still have to handle the more complicated claims for international protection (and appeals), have to organise longer periods of reception, and will have to coordinate returns for those ultimately not entitled to international protection; reiterates that any new system for the management of the Common European Asylum System must be based on solidarity and a fair sharing of responsibility;

18. Is of the opinion that, in addition to the criteria contained in the Relocation Decisions, namely the GDP of the Member State, the population of the Member State, the unemployment rate in the Member State, and the past numbers of asylum seekers in the Member State, consideration should be given to two other criteria, namely, the size of the territory of the Member State and the population density of the Member State;

19. Believes that the preferences of the applicant should, as much as practically possible, be taken into account when carrying out relocation; recognises that this is one way of discouraging secondary movements and encouraging applicants themselves to accept relocation decisions, but that it should not stop the relocation process;

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<sup>(1)</sup> Council Decision (EU) 2015/1523 and Council Decision (EU) 2015/1601.

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***On resettlement***

20. Takes the view that resettlement is one of the preferred options for granting safe and lawful access to the Union for refugees and those in need of international protection, where the refugees can neither return to their home countries nor receive effective protection or be integrated into the host country;

21. Observes, furthermore, that resettlement through the auspices of the United Nations High Commissioner for Refugees (UNHCR) is a well-established humanitarian programme, and is a useful tool for managing orderly arrivals of persons in need of international protection onto Member State territories;

22. Points out that, given the unprecedented flows of migrants that have reached and continue to reach the Union's external borders, and the steady increase in the number of people asking for international protection, the Union needs a binding and mandatory legislative approach to resettlement, as set out in the Commission's agenda for migration; recommends that, to have an impact, such an approach must provide for resettlement of a meaningful number of refugees, with regard to the overall numbers of refugees seeking international protection in the Union, and taking into account the global resettlement needs published annually by the UNHCR;

23. Underlines that there is a need for a permanent Union-wide resettlement programme, with mandatory participation by Member States, providing resettlement for a meaningful number of refugees, having regard to the overall number of refugees seeking protection in the Union;

***On humanitarian admission***

24. Points out that humanitarian admission can be used as a complement to resettlement in order to give urgent protection, often on a temporary basis, to the most vulnerable where needed, e.g. unaccompanied minors or refugees with disabilities or those in need of urgent medical evacuation;

25. Underlines that, in so far as resettlement remains unavailable for third-country nationals, all Member States should be encouraged to establish and implement humanitarian admission programmes;

***On humanitarian visas***

26. Points out that humanitarian visas provide persons in need of international protection with means of accessing a third country in order to apply for asylum; calls on the Member States to make use of any existing possibilities to provide for humanitarian visas, particularly for vulnerable persons, at Union embassies and consular offices in countries of origin or transit countries;

27. Considers that persons seeking international protection should be able to apply for a European humanitarian visa directly at any consulate or embassy of the Member States, and, once granted following an assessment, such a humanitarian visa would allow its holder to enter the territory of the Member State issuing the visa for the sole purpose to lodge therein an application for international protection; believes, therefore, that it is necessary to amend the Union Visa Code by including more specific provisions on humanitarian visas;

***On the Common European Asylum System (CEAS)***

28. Points out that further steps are necessary to ensure that the CEAS becomes a truly uniform system;

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29. Recalls that a comprehensive assessment (in the form of the Commission's evaluation reports) of the implementation of this package, followed by a speedy follow-up in case implementation is unsatisfactory in certain Member States, is absolutely necessary in order to improve harmonisation;

30. Notes, for example, that inadmissible applications, subsequent applications, accelerated procedures and border procedures are all specific cases in which the recast of the Asylum Procedures Directive tried to strike a delicate balance between the efficiency of the system and the rights of the applicants, in particular those of vulnerable persons, underlines that such a balance can only be achieved if the legislation is fully and properly implemented;

31. Stresses the importance of judicial control of all forms of detention pursuant to the laws on immigration and asylum; recalls that both international law and the Union's Charter of Fundamental Rights require Member States to examine alternatives to detention; calls on Member States to correctly apply the Asylum Procedures and the Reception Conditions Directives in relation to access to detention centres;

32. Recalls the importance of reducing the number of stateless persons, and encourages Member States to introduce statelessness determination procedures and share good practices amongst themselves concerning the collection of reliable data on stateless persons as well as on the procedures for determining statelessness;

#### ***On the revision of the Dublin III Regulation***

33. Observes that the operation of the Dublin III Regulation<sup>(1)</sup> has raised many questions linked to fairness and solidarity in the allocation of the Member State responsible for examining an application for international protection; notes that the current system does not take into sufficient consideration the particular migratory pressure faced by Member States situated at the Union's external borders; believes that the Member States need to accept the on-going difficulties with the Dublin logic, and that the Union should develop options for solidarity both among Member States and the migrants concerned;

34. Points out that the pressure placed on the system — as established by the Dublin Regulation — by the rising number of migrants arriving in the Union has shown that, as implemented, the system has largely failed to achieve its two primary goals of establishing objective and fair criteria for allocation of responsibility and of providing swift access to international protection; reiterates its reservations regarding the criterion whereby currently it is the Member State of first entry that is determined to be responsible for the examination of a claim for international protection, and considers that this criterion should be revised;

35. Further points out that, at the same time, the incidence of secondary movements across the Union remains high; views it as self-evident that, since its creation, the Dublin system was not designed to share responsibility among Member States, but that its main purpose was to assign swiftly responsibility for processing an asylum application to a single Member State;

36. Recommends that the criteria on which the Relocation Decisions are based should be built directly into the Union's standard rules for allocating responsibility for handling claims for international protection; emphasises that, in reviewing the Dublin Regulation, the concept of 'applicants in clear need of international protection' needs to be reviewed, since those migrants and refugees who do not fall into that category would then still have to be dealt with by the Member State of first arrival;

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<sup>(1)</sup> Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

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37. Takes the view that the European Union should support the Member States receiving the most asylum claims with proportionate and adequate financial and technical support; considers that the rationale of using solidarity and responsibility-sharing measures is to enhance the quality and functioning of the CEAS;

38. Points out that one option for a fundamental overhaul of the Dublin system would be to establish a central collection of applications at Union level — viewing each asylum seeker as someone seeking asylum in the Union as a whole and not in an individual Member State — and to establish a central system for the allocation of responsibility for any persons seeking asylum in the Union; suggests that such a system could provide for certain thresholds per Member State relative to the number of arrivals, which could conceivably help in deterring secondary movements, as all Member States would be fully involved in the centralised system and no longer have individual responsibility for allocation of applicants to other Member States; believes that such a system could function on the basis of a number of Union ‘hotspots’ from where Union distribution should take place; underlines that any new system for allocation of responsibility must incorporate the key concepts of family unity and the best interests of the child;

### ***On mutual recognition***

39. Notes that, at present, Member States recognise asylum decisions from other Member States only when they are negative; reiterates that mutual recognition by Member States of positive asylum decisions is a logical step towards proper implementation of Article 78(2)(a) TFEU, which calls for ‘a uniform status of asylum valid throughout the Union’;

### ***On the Temporary Protection Directive***

40. Points out that, in the event of a mass influx, the Commission, acting on its own initiative or after examination of a request by a Member State, can propose to trigger Council Directive 2001/55/EC on Temporary Protection (the ‘Temporary Protection Directive’) <sup>(1)</sup>; observes that the actual triggering requires a Council decision adopted by a qualified majority; notes that the directive should be triggered where there is a risk that the Union asylum system would be unable to cope with the mass influx or imminent mass influx of displaced persons; highlights, however, that, since its adoption in 2001, the Temporary Protection Directive has never been triggered;

41. Notes that the Temporary Protection Directive also provides for the possibility of evacuation of displaced persons from third countries, and that such evacuation would allow for the use of humanitarian corridors, in cooperation with UNHCR, with an obligation on Member States — where necessary — to provide every facility for obtaining visas;

42. Believes that the asylum systems of some frontline Member States are already clearly overburdened and that the Temporary Protection Directive should — under its own logic — have been triggered; calls, in any case, for a clear definition of ‘mass influx’ to be established upon revision of this directive; understands that such a revision of the Temporary Protection Directive can form part of the review of the Dublin system;

### ***On integration***

43. Notes that the participation of all actors involved in society is crucial, and therefore suggests that, while respecting the competences of Member States as regards integration measures, the exchange of best practice in this field should be strengthened; underlines that integration measures for all legally residing third-country nationals should promote inclusion, rather than isolation; notes that local and regional authorities, including cities, have a key role in integration processes;

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<sup>(1)</sup> Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

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44. Emphasises that hosting Member States must offer refugees support and opportunities to integrate and build a life in their new society; notes that this should necessarily include accommodation, literacy and language courses, inter-cultural dialogue, education and professional training, and also effective access to democratic structures in society — as provided for in the Qualifications Directive<sup>(1)</sup>; notes that — just like Union citizens — refugees have both rights and obligations in the host Member States; emphasises therefore that integration is a two-way process and that respect for the values upon which the Union is built must be an integral part of the integration process, as must respect for the fundamental rights of the refugees;

45. Recalls that, under Article 15 of the Reception Conditions Directive, Member States are to determine the conditions for granting access to their labour markets for applicants for international protection, provided that such access is effective and is in accordance with the timeframe laid down in Paragraph 1 of that Article; understands that, under Article 15(2) for reasons of labour market policies, Member States may give priority to Union citizens and nationals of states parties to the Agreement on the European Economic Area, and to legally resident third-country nationals;

46. Takes the view that, where those persons granted international protection in the Union have an offer of employment in a Member State other than the one in which they have been granted international protection, they should be able to avail themselves of such an offer;

47. Reaffirms that better recognition of foreign qualifications is one practical way of ensuring that those third-country nationals already present in the Union can integrate better, and calls on the Commission to come forward with appropriate proposals in that regard;

48. Encourages private and community integration programmes for those persons accepted for resettlement, in cooperation with, and building on best practices of, Member States and local authorities;

#### ***On family unity***

49. Encourages the Member States to seek to keep families together, which will assist integration prospects in the long-term as the focus can be directed towards the establishment of a new life instead of concerns towards family members that are still in insecure situations;

50. Underlines that Member States should overcome any legal and practical obstacles to arrive at swifter decisions on family reunification;

51. Recommends that, until such time as the Dublin Regulation has been fundamentally overhauled, it is important for Member States to make better use of the discretionary clauses to respect the principle of family unity;

#### ***On children***

52. Emphasises the vulnerable position of children arriving in the Union and reiterates the right of every child to be treated as a child first and foremost; calls on Member States to fully apply the specific provisions of the CEAS concerning unaccompanied minors, including access to legal assistance, guardianship, access to healthcare, accommodation and education, the right to be spoken to in a language they understand and to be interviewed by properly trained officials; reiterates that Member States should not detain children on the grounds that they are migrants;

53. Recalls that support, information and protection should be extended to unaccompanied and separated children, in line with their best interests, and that applications for family reunification filed by unaccompanied and separated children should be expedited;

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<sup>(1)</sup> Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9).

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54. Notes that an effective guardianship and a child-sensitive protection system are key to preventing abuse, neglect and exploitation of children deprived of parental care; stresses the importance of defining Union guidelines for a guardianship system aimed at providing adequate support and protection and ensuring that foreign and national children are treated equally;

55. Believes that age assessment should be carried out in the least invasive manner, should be multi-disciplinary and safe, should respect children's physical integrity and human dignity, with particular attention to girls, and should be performed by independent, qualified practitioners and experts;

56. Calls on Member States to gather disaggregated data on the situation of refugee and migrant children in order to improve the ability of systems to integrate refugee and migrant children;

#### **On returns**

57. Understands that the safe return of those people who, following an individual assessment of their asylum application, are determined not to be eligible for protection in the Union is something that must be carried out as part of the proper implementation of the CEAS;

58. Acknowledges that, in the light of the fact that, in 2014, 36 % of third country nationals who were ordered to leave the Union were effectively returned, there is a need to improve the effectiveness of the Union's return system;

59. Considers that in order to increase the efficiency of readmissions, and in order to ensure the coherence of returns at a European level, it will be necessary to adopt new EU readmission agreements which should take preference over bilateral agreements between Member States and third countries;

60. Believes that the return of migrants should only be carried out safely, in full compliance with the fundamental and procedural rights of the migrants in question, and where the country to which they are being returned is safe for them; reiterates, in that regard, that voluntary return should be prioritised over forced returns;

61. Suggests that any attempt by Member States to 'push back' migrants who have not been given the opportunity to present asylum claims runs contrary to Union and international law, and that the Commission should take appropriate action against any Member State that attempts such 'push backs';

#### **On a list of safe countries of origin**

62. Acknowledges the recent Commission proposal for a Union list of safe countries of origin, amending the Asylum Procedures Directive <sup>(1)</sup>; observes that if such a Union list would become obligatory for Member States it could, in principle, be an important tool for facilitating the asylum process, including return;

63. Regrets the current situation in which Member States apply different lists, containing different safe countries, hampering uniform application and incentivising secondary movements;

64. Underlines, in any event, that any list of safe countries of origin should not detract from the principle that every person must be allowed an appropriate individual examination of his or her application for international protection;

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<sup>(1)</sup> Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

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***On infringement procedures***

65. Notes that, in September 2015, the Commission was obliged to adopt 40 infringement decisions related to the implementation of the CEAS against 19 Member States, which was in addition to 34 cases already pending; reiterates that Parliament should be kept fully informed of proceedings launched by the Commission against Member States that have not implemented, or have not properly implemented, Union legislation in this area;

66. Re-emphasises how essential it is that, once Union legislation has been agreed upon and adopted, the Member States uphold their side of the bargain and implement that legislation;

67. Notes further that it is impossible properly to evaluate the advantages and drawbacks of certain elements of the CEAS owing to the fact that many Member States have not yet fully implemented the legislation;

***On the European Asylum Support Office (EASO)***

68. Recommends that EASO be developed, in the long term, into a principal coordinator of the CEAS with a view to guaranteeing common application of the rules of that system; reiterates that, as the CEAS becomes genuinely European, EASO needs to develop from a collection of experts from Member States into a fully-fledged Union agency providing operational support to Member States and at the external borders; emphasises, in that regard, that it must be provided with the necessary funding and human resources in the short, medium and long term;

69. Observes that the EASO budget for 2015 for relocation, resettlement and the external dimension was a mere EUR 30 000; reiterates that this very small budget cannot be taken seriously in the light of current events in the Mediterranean and in the light of the multiple references made to EASO in the Relocation Decisions; recalls that significant increases in the budget of EASO, in its human resources and in the amounts it allocates in respect of relocation and resettlement, will be needed in the short, medium and long term;

***On Frontex and the proposed new European Border and Coast Guard***

70. Notes the recent role of Frontex in rendering assistance to any vessel or person in distress at sea, and acknowledges its contribution, through the Triton and Poseidon joint operations, to the rescuing and saving of many lives in the Mediterranean;

71. Understands that the recently proposed European Border and Coast Guard is intended to replace Frontex and is meant to ensure a European integrated border management at the external borders with a view to managing migration effectively and ensuring a high level of internal security within the Union, while safeguarding the free movement of persons therein; in line with the Treaties and their Protocols, notes that Member States which are party to the Schengen Agreements but not yet part of the Schengen Area without internal border controls can participate in and/or benefit from all the actions under the new proposal;

72. Looks forward to negotiations on the proposal within and between the co-legislators in the context of the ordinary legislative procedure, in accordance with Article 294 TFEU;

***On Schengen and the management and security of the external borders***

73. Recalls that, since the establishment of the Schengen Area, the Union is an area without internal borders, that the Schengen Member States have developed a step-by-step common policy towards the Schengen external borders, and that the inherent logic of such a system has always been that the abolition of internal border controls has to go hand in hand with compensatory measures strengthening the external borders of the Schengen Area and the sharing of information through the Schengen Information System ('SIS');

74. Acknowledges that the integrity of the Schengen Area and the abolition of internal border controls are dependent on having effective management of external borders, with high common standards applied by all Member States at the external borders and an effective exchange of information between them;

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75. Accepts that the Union needs to strengthen its external border protection and further develop the CEAS, and that measures are necessary to enhance the capacity of the Schengen Area to address the new challenges facing Europe and preserve the fundamental principles of security and free movement of persons;

76. Points out that access to the territory of the Schengen Area is generally controlled at the external border under the Schengen Borders Code and that, in addition, citizens of many third countries require a visa to enter the Schengen Area;

77. Reiterates the UNHCR's call that respect for fundamental rights and international obligations can only be ensured if operating procedures and plans reflect those obligations in practical, clear guidance to border personnel, including those at land, sea and air borders; points out to the need to further strengthen the Union Civil Protection Mechanism in order to respond to events with wide-ranging impacts which affect a significant number of Member States;

78. Emphasises again that, as for legislation specifically in the area of asylum and migration, in order for legislation on internal and external borders to be effective, it is essential that measures agreed at Union level are implemented properly by the Member States; underlines that better implementation of measures by Member States at the external borders, following increased pressure, is essential and will go some way towards allaying the security fears of citizens;

79. Takes note that on 15 December 2015 the Commission came forward with a proposal for a targeted revision of the Schengen Borders Code, proposing to introduce systematic controls of all Union nationals (not only on third-country nationals) against the relevant databases at the external borders of the Schengen Area;

80. Considers that the Schengen Area is one of the major achievements of European integration; notes that the conflict in Syria and other conflicts elsewhere in the region have triggered record numbers of refugees and migrants arriving in the Union, which in turn has revealed deficiencies at parts of the Union's external borders; is concerned at the fact that, in response, some Member States have felt the need to close their internal borders or introduce temporary border controls, thus calling into question the proper functioning of the Schengen Area;

**On hotspots**

81. Recalls that, in the 'hotspot approach' set out by the Commission in its European Agenda on Migration, the Borders Agency, EASO, Europol and Eurojust are to provide operational assistance to Member States in accordance with their respective mandates;

82. Points out, in that regard, that the Union agencies require the resources necessary to allow them to fulfil their assigned tasks; insists that the Union agencies and the Member States keep the Parliament fully informed of work undertaken at the hotspots;

83. Notes that both of the Relocation Decisions provide for operational support at the hotspots to be provided to Italy and Greece for the screening of migrants when they first arrive, registration of their application for international protection, provision of information to applicants on relocation, organisation of return operations for those who did not apply for international protection and are not otherwise entitled to remain or those who applied unsuccessfully, and the facilitation of all steps involved in the relocation procedure itself;

84. Calls for the hotspots to be set up as soon as possible in order to give concrete operational assistance to those Member States; calls for the allocation of technical and financial resources and support to Member States of first arrival, such as Italy and Greece, to enable the swift and effective registration and referral to the competent authorities of all migrants arriving in the Union with full respect for their fundamental rights; considers that quick and effective support by the Union to Member States and the acceptance of such support is important for mutual trust;



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85. Recognises that one of the main purposes of hotspots is to allow the Union to grant protection and humanitarian assistance in a swift manner to those in need; emphasises that great care needs to be taken to ensure that the categorising of migrants at hotspots is carried out in full respect for the rights of all migrants; acknowledges, however, that proper identification of applicants for international protection at the point of first arrival in the Union should help facilitate the overall functioning of a reformed CEAS;

#### ***On criminal law related to migration***

86. Notes that, in its Action Plan on Smuggling, the Commission states that it is considering a revision of Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, and who cooperate with the competent authorities;

87. Believes that such a revision is necessary and should consider introducing a system allowing for victims of trafficking and criminal smuggling to come forward and aid in the effective prosecution of a trafficker or criminal smuggler without fear of being prosecuted themselves;

88. Notes that the Commission is considering a revision of Council Directive 2002/90/EC defining the facilitation of unauthorised entry, transit and residence; takes the view that anyone who provides different forms of humanitarian assistance to those in need should not be criminalised and that Union law should reflect that principle;

89. Underlines that another crucial step in dismantling criminal smuggling and trafficking networks is to prioritise financial investigations, as tracking and confiscating the profits of those criminal networks is essential if they are to be weakened and eventually dismantled; calls, in this regard, for the Member States to transpose swiftly and effectively the fourth Anti-Money Laundering Directive;

90. Recalls that, to ensure that criminal investigations are conducted effectively, training of practitioners is essential, so that those involved fully understand the phenomenon they are seeking to tackle and know how to recognise them at an early stage;

#### ***On cooperation with third countries***

91. Points out that the Global Approach to Migration and Mobility (GAMM) pillar on asylum and international protection should be developed further, with greater involvement of third countries; notes that current actions in this field, under Regional Protection Programmes (RPPs) or Regional Development and Protection Programmes (RDPPs), focus on capacity building to tackle criminal smuggling and human trafficking networks within third countries of origin and transit; notes, at the same time, that the resettlement component of these programmes continues to be weak; believes that capacity-building efforts and resettlement activities should be stepped up and carried out together with third countries hosting large refugee populations;

92. Acknowledges that the basic instrument that sets out the objectives of the Union's external policies on migration, asylum and borders is the GAMM; takes note that various instruments exist under that umbrella, including regional dialogues, bilateral dialogues, mobility partnerships, common agendas for migration and mobility, readmission agreements, visa facilitation agreements, visa exemption agreements, RPPs and RDPPs;

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93. Understands that the external dimension should focus on cooperation with third countries in tackling the root causes of, and addressing, irregular flows to Europe; understands that partnerships and cooperation with key countries of origin, transit and destination should continue to be a focus, for example through the Khartoum and Rabat processes, the Africa-EU migration and mobility dialogue, the Budapest Process and the Prague Process;

94. Points out that the Union and its Member States must be selective in their support for third-countries' law enforcement agencies taking into account the record of those agencies in breaching the human rights of migrants;

95. Recommends that cooperation with third countries involves assessing those countries' asylum systems, their support for refugees, and their ability and willingness to tackle human trafficking and criminal smuggling into and through those countries;

96. Calls on the Union to help third countries build up their asylum systems and integration strategies in order to allow third country nationals in need of international protection to seek protection there; believes that the Union must adopt a win-win approach to cooperation with third countries, that is, an approach that is beneficial to the Union, to the third country in question and to the refugees and migrants in that third country;

97. Recalls that the Union has intensified its external cooperation with third countries in migration and asylum in order to respond adequately to the current refugee crisis, and has launched new cooperation initiatives, such as the EU-Turkey Joint Action Plan; emphasises, in that respect, the need for all parties to fulfil their commitments deriving from the Joint Action Plan, including addressing the root causes leading to the massive influx of Syrians, stepping up cooperation for the support of Syrians under temporary protection and their host communities in Turkey, and for Turkey to fulfil its commitments to prevent irregular migration flows from its territory to the Union;

#### ***On awareness-raising campaigns***

98. Points out that many smuggled persons have some level of awareness of the risks they will face on a potentially hazardous trip to Europe, but choose to embark on the journey regardless, as they assess those risks to be lower than those they would face if they were not to migrate;

99. Welcomes the fact that the Action Plan on Smuggling links the launching of new awareness-raising campaigns to the assessment of existing ones; recommends that any such campaigns should contain information on the criteria to be used to determine protection status in the Union, since such information may convince some migrants — who risk embarking on a perilous journey only to be returned if they are not granted protection — not to make the journey;

#### ***On addressing root causes***

100. Reaffirms that the Union must adopt a long-term strategy to help counteract the 'push factors' in third countries (conflict, persecution, ethnic cleansing, generalised violence or other factors such as extreme poverty, climate change or natural disasters), which force people into the hands of criminal smuggling networks, which they see as their only chance to reach the Union;

101. Recalls that the UN Special Rapporteur on the Human Rights of Migrants has also called on the Union to open up regular migration channels so as to allow migrants to use formal entry and exit channels instead of having to resort to criminal smuggling networks;

102. Highlights that the recent increase in arrivals of refugees into the Union has shown that, on their own, preventive measures are not sufficient for managing the current migration phenomena;

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103. Understands that, in the long term, greater impetus is needed in solving the geo-political issues that affect the root causes of migration, as war, poverty, corruption, hunger and a lack of opportunities means that people will still feel forced to flee to Europe unless the Union looks at how to help re-build those countries; points out that this means that the Commission and the Member States must put up the money to help build capacity in third countries, such as by facilitating investment and education, strengthening and enforcing asylum systems, helping to manage borders better, and reinforcing legal and judicial systems there;

### ***On funding to third countries***

104. Notes that the main funding instrument for funding to third countries is the Development Cooperation Instrument (DCI), which includes the only Union global thematic funding for migration under the Global Public Goods and Challenges Programme managed by the Directorate General (DG) for International Cooperation and Development (DEVCO); notes further that, as with funds allocated directly to the Member States, other Commission DGs, and other Union bodies, are involved in managing the DCI, so that, Union assistance to neighbourhood countries is provided by DG Neighbourhood and Enlargement Negotiations through the Instrument for Pre-Accession Assistance; humanitarian aid is provided by the DG for Humanitarian Aid and Civil Protection ('ECHO'); and the European External Action Service ('EEAS') manages the Instrument Contributing to Stability and Peace; recalls that, since the two funds managed by the DG for Home Affairs and Migration (HOME) — the AMIF and the ISF — also provide for an external dimension, this provides a new stakeholder on the external funding scene;

105. Welcomes the recently established Emergency Trust Fund for Africa and the EUR 1,8 billion pledged to the fund, which has added an additional element to third-country funding; calls on the Member States to continue contributing to the fund;

106. Recommends that, in line with the GAMM, the four thematic pillars addressing (i) legal migration and mobility, (ii) irregular migration and trafficking in human beings, (iii) international protection, and (iv) the development impact of migration should be of equal importance in Union external policy and funding;

### ***On transparency in funding***

107. Notes that the Union's migration policy is implemented through different policy instruments, each having its own objectives, which are not necessarily interlinked, and that there is insufficient coordination of funding between the multiple actors involved; points out that the fragmentation of budget lines and responsibilities creates a management structure that could make it difficult to provide a comprehensive overview on how the different funds available are allocated and ultimately used; points out, furthermore, that such fragmentation makes it harder to quantify how much the Union spends overall on migration policy;

108. Is of the opinion that such a comprehensive overview of Union funding related to migration, both within and outside the Union must be provided, as the absence of such an overview is a clear obstacle to transparency and sound policymaking; notes, in that regard, that one possible option could be a website comprising a database of all Union funded projects related to migration policy; underlines that the need for transparency also extends to budget lines in order to ensure adequate funding for all objectives of Union migration policy;

109. Recalls that the positive impact of the EU migration funds relies on processes at national and Union level to ensure transparency, effective monitoring and accountability, believes that consideration should be given as to how to make monitoring and evaluation ongoing processes and not only ex-post processes and that the role of the Court of Auditors should be strengthened in that regard; notes that comparable qualitative and quantitative indicators should be established in order to measure the impact of EU funds and help to assess whether those funds have achieved their objectives;

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### ***On additional funding for migration***

110. Welcomes the additional funding made available in the Union's budget for 2016 to start to deal with the current migration phenomena; points out that most of that new funding represents funding under the 2014-2020 Multiannual Financial Framework (MFF), which has been brought forward, with the result that the Union is spending today what was intended to be spent tomorrow;

111. Agrees that, while recent budgetary proposals and the additional funding foreseen in the Union's budget for 2016, including the use of the flexibility instrument, should be welcomed, medium and longer-term funding remain a concern; is concerned that the increase in the amounts proposed for budget lines under AMIF for 2016 have not been accompanied by a proposed revision of the global resources available under that fund for the 2014-2020 funding period; understands that, left as is, the result will be that funding under AMIF will have dried up long before 2020;

112. Encourages the Member States to take full advantage of the possibilities offered by funds which are not directly related to migration policy, but which can be used to fund actions in that area (e.g. integration actions), such as those available under the European Social Fund, the Fund for European Aid to the Most Deprived, Horizon 2020, the European Regional Development Fund and the Rights and Citizenship Programme;

113. Recommends that, under the MFF review scheduled for the end of 2016, substantial additional resources be provided under the Union budget, Heading 3, on Citizenship, Freedom, Security and Justice, so that adequate funding is made available on the basis of migration trends and the attendant financial requirements for the Union's and the Member States' asylum, migration and integration policies;

### ***On the involvement of civil society***

114. Points out that securing operational funding is a key challenge for NGOs as most funding is project-related; affirms that volunteer and civil-society initiatives dedicated to providing assistance to migrants should be promoted and, where appropriate, funded by the Commission and the Member States; calls on the Member States and the Commission to seek, where appropriate and possible, to fund projects managed by civil society organisations working in the areas of migration, integration and asylum;

115. Reiterates that civil society involvement in the development of Union actions and national programmes must be ensured, in line with the partnership principle as laid down in AMIF; proposes that, at Union level, thought be given to regular consultation between the Commission and relevant civil society organisations working on migration, asylum and integration issues;

### ***On demographic trends***

116. Notes that, prior to the increased migratory flows into the Union in 2015, according to an OECD and Commission study of 2014, the working-age population (15-64) in the Union will decline by 7,5 million between 2013 and 2020, and that if net migration were to be excluded from their projections, the decline would be even more pronounced, as it would amount to a reduction of the working age population by 11,7 million;

117. Points out, nevertheless, that as of November 2015, the youth unemployment rate across all the Member States stood at 20 %;

118. Further notes that, according to recent Eurostat projections, the ratio of people aged 65 or older, relative to those aged 15 to 64, will increase from 27,5 % at the beginning of 2013 to almost 50 % by 2050; notes that this would mean a change from the present ratio of four working-age persons for every person aged 65 or older to only two working-age persons for everyone aged 65 or older;

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***On legal labour migration***

119. States that the legal basis for the management of legal migration at Union level is set out in Article 79 TFEU;

120. Understands that Article 79(5) specifically reserves the right for Member States to determine the volumes of admission of third country nationals coming from third countries to their territory in order to seek work;

121. Points out that the Europe 2020 strategy has identified the need for a comprehensive labour migration policy, and for better integration of migrants, in order to meet the Union's goals for smart, sustainable and inclusive growth;

122. Notes that the existing Union legislative framework regulating the access of third-country nationals to work in the Union is rather fragmented, as it focuses on specific categories of workers rather than on regulating, generally, all migrant workers;

123. Takes the view that, in the long run, the Union will need to establish more general rules governing the entry and residence for those third-country nationals seeking employment in the Union to fill the gaps identified in the Union labour market;

***On the need for better data***

124. Calls for a comprehensive vision of the labour market in the Union as a necessary pre-condition for the development of labour market policies; points out that it is necessary to develop tools for identifying and forecasting present and future labour market needs in the Union in a better way; suggests, in that regard, that existing tools — such as those developed by the European Centre for the Development of Vocational Training (CEDEFOP) or the OECD — could be improved upon, and even merged, with international statistics on potential labour supply from third countries in order to provide a more accurate picture of the situation;

125. Believes that better data and improved tools for analysing such data can only help policy-makers determine future labour migration policies, and that the Union and the Member States should identify gaps in their labour markets that could help them fill jobs that would otherwise remain vacant;

***On labour exploitation***

126. Notes that labour exploitation can take place as a consequence of trafficking, of smuggling, or even in the absence of both, with the result that there is impunity for those exploiting irregular migrants in those Member States in which it is not criminalised as such;

127. Deplores the fact that the low risk of being detected and/or prosecuted as an employer exploiting the labour of irregular migrants has been identified as an important factor in labour exploitation, in particular in sectors most at risk (agriculture, construction, hotels and restaurants, domestic workers and care services); recommends that in order to tackle this impunity it is necessary, firstly, to ensure that all cases of severe labour exploitation are criminalised and adequately punished under national law and, secondly, to increase labour inspections in at-risk sectors;

128. Takes note of the fact that, at present, many Member States criminalise labour exploitation only when it takes place as a form of trafficking, which leaves a wide gap in all cases where the labour exploiters were not involved in the trafficking, or their involvement cannot be proved;

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129. Reiterates that special procedures to ensure facilitation of complaints foreseen by Directive 2009/52/EC providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (the 'Employers' Sanctions Directive') should be fully implemented and correctly applied in practice; believes that increased protection for those victims of trafficking, and for those smuggled into the Union, who cooperate and facilitate prosecution of traffickers and/or criminal smugglers, is necessary; suggests that, in addition, support should be given for the setting up of a European Business Coalition against Trafficking in Human Beings (as mooted in the 2014 Strategy against Trafficking in Human Beings) with the purpose of developing supply chains that do not involve trafficking in human beings;

130. Believes that, in the end, any effort to eradicate labour exploitation must take the dual approach of effectively prosecuting abusive employers while protecting the victims of such exploitation;

***On revision of the Blue Card***

131. Recalls that in the Agenda on Migration, the Commission announced its intention to revise the Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (the 'Blue Card Directive'), looking particularly at the issues of scope (possibly covering entrepreneurs willing to invest in Europe) and improving the rules on intra-EU mobility;

132. Reiterates that the Commission's Implementation Report on the current Blue Card Directive underlines its flaws, including the very limited level of harmonisation brought about by the wide discretion in implementation it gives the Member States, in particular the right for Member States to maintain parallel national schemes;

133. Believes, moreover, that it is clear that the directive should focus not just on the highly-qualified, but also on targeted high-qualification occupations where there are proven labour shortages; believes, in addition, that the revision of the Blue Card should be both ambitious and targeted, and should seek to remove the inconsistencies of the existing directive, particularly as regards parallel national schemes; recommends that thought be given to revising the scope to include those third-country nationals who could help tackle the gaps identified in Union labour markets;

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134. Instructs its President to forward this resolution to the Council and the Commission, to the parliaments and governments of the Member States, and to EASO, Frontex, Europol, Eurojust, FRA, eu-LISA, the Council of Europe, the Committee of the Regions and the European Economic and Social Committee.

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P8\_TA(2016)0103

**Annual reports 2012-2013 on subsidiarity and proportionality****European Parliament resolution of 12 April 2016 on the Annual reports 2012-2013 on subsidiarity and proportionality (2014/2252(INI))**

(2018/C 058/03)

*The European Parliament,*

- having regard to the Interinstitutional Agreement on better law-making <sup>(1)</sup>,
- having regard to the practical arrangements agreed on 22 July 2011 between the competent services of the European Parliament and the Council for the implementation of Article 294(4) TFEU in the event of agreements at first reading,
- having regard to its resolution of 4 February 2014 on EU Regulatory Fitness and Subsidiarity and Proportionality — 19th report on Better Lawmaking covering the year 2011 <sup>(2)</sup>,
- having regard to its resolution of 13 September 2012 on the 18th report on Better legislation — Application of the principles of subsidiarity and proportionality (2010) <sup>(3)</sup>,
- having regard to its resolution of 14 September 2011 on better legislation, subsidiarity and proportionality and smart regulation <sup>(4)</sup>,
- having regard to the Commission's annual report 2012 on subsidiarity and proportionality (COM(2013)0566) and to the Commission's annual report 2013 on subsidiarity and proportionality (COM(2014)0506),
- having regard to the Council Conclusions on Smart Regulation of 4 December 2014,
- having regard to the Conclusions of the Conference of Speakers of the European Union Parliaments of 21 April 2015,
- having regard to the Bi-annual reports of COSAC on Developments in European Union Procedures and Practices Relevant to Parliamentary Scrutiny of 27 September 2012, 17 May 2013, 4 October 2013, 19 June 2014, 14 November 2014,
- having regard to the final report of 14 October 2014 of the High Level Group of Independent Stakeholders on Administrative Burdens, entitled 'Cutting Red Tape in Europe — Legacy and Outlook' <sup>(5)</sup>,
- having regard to Rule 52 and Rule 132 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the opinions of the Committee on International Trade, the Committee on Budgetary Control, the Committee on Employment and Social Affairs and the Committee on Constitutional Affairs (A8-0301/2015),

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<sup>(1)</sup> OJ C 321, 31.12.2003, p. 1.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0061.

<sup>(3)</sup> OJ C 353 E, 3.12.2013, p. 117.

<sup>(4)</sup> OJ C 51 E, 22.2.2013, p. 87.

<sup>(5)</sup> [http://ec.europa.eu/smart-regulation/refit/admin\\_burden/docs/08-10web\\_ce-brocuttingredtape\\_en.pdf](http://ec.europa.eu/smart-regulation/refit/admin_burden/docs/08-10web_ce-brocuttingredtape_en.pdf)

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- A. whereas in 2012, the Commission received reasoned opinions addressing 83 legislative proposals; whereas the total number of submissions received in 2012 was 292, including those submissions which did not qualify as reasoned opinions;
- B. whereas in 2013, the Commission received reasoned opinions addressing 99 legislative proposals; whereas the total number of submissions received in 2013 was 313, including those submissions which did not qualify as reasoned opinions;
- C. whereas in 2012, national parliaments issued 12 reasoned opinions on the Monti II proposal <sup>(1)</sup>, representing 19 votes (18 being the threshold), and thus for the first time triggered a so-called yellow card, which requires the institution that has presented the proposal to review it and to justify its decision as regards whether to withdraw, to amend or to maintain the proposal;
- D. whereas the Commission withdrew the Monti II proposal but stated that it considered the proposal to be in conformity with the principle of subsidiarity and that the proposal was withdrawn in view of insufficient support for it in the European Parliament and the Council of Ministers <sup>(2)</sup>;
- E. whereas in 2013, national parliaments issued 13 reasoned opinions on the proposal for the establishment of a European Public Prosecutor's Office <sup>(3)</sup>, representing 18 votes, thereby triggering the second yellow card procedure;
- F. whereas the Commission concluded that its proposal complied with the principle of subsidiarity and that a withdrawal or an amendment of the proposal was not required; whereas the Commission declared that in the legislative process it would take due account of the reasoned opinions <sup>(4)</sup>;
- G. whereas several national parliaments expressed concern regarding the Commission's approach, considering the justifications and arguments presented by the Commission insufficient; whereas the Legal Affairs Committee and the Civil Liberties, Justice and Home Affairs Committee of the European Parliament held debates on this topic;
- H. whereas in the subsequent negotiations with the Council on the European Public Prosecutor the scope and working methodologies have been narrowed as compared with the initial proposal upon which the reasoned opinions were issued;
- I. whereas given its right of initiative, the Commission has a responsibility to ensure that the correct choices about whether and how to propose action at EU level are made at an early stage of policy development;
- J. whereas the Commission is undertaking a revision of the guidelines applying to the impact assessment process, which includes consideration of subsidiarity and proportionality;
- K. whereas the Parliament has established its own Impact Assessment Unit, which produced 50 initial appraisals and two detailed appraisals of Commission impact assessments in 2013;
- L. whereas national parliaments have observed that the inclusion of significant and numerous delegated powers makes it difficult to effectively evaluate whether final rules would comply with the principle of subsidiarity;

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<sup>(1)</sup> Proposal for a Council Regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services (COM(2012)0130).

<sup>(2)</sup> Letter of 12 September 2012 by Vice-President Šefčovič to National Parliaments.

<sup>(3)</sup> Commission proposal for the establishment of the European Public Prosecutor's Office (EPPO) (COM(2013)0534).

<sup>(4)</sup> Communication of 27 November 2013 to the European parliament, the Council and National Parliaments on the review of the proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office with regard to the principle of subsidiarity, in accordance with Protocol No 2 (COM(2013)0851).



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M. whereas the subsidiarity and proportionality check as well as an impact assessment are done only at the beginning of the legislative process;

1. Observes that the principles of subsidiarity and proportionality are fundamental guiding principles for the European Union;

2. Emphasises that the use of the EU's competences should be guided by the principles of subsidiarity and proportionality, as stated in Article 5 of the Treaty on European Union; welcomes the fact that in 2012 and 2013 compliance with these two principles was carefully scrutinised by the EU institutions and by national parliaments;

3. Welcomes the closer participation and stronger involvement of national parliaments in the European legislative process in recent years, which has resulted in an increased awareness of the principles on which the EU is founded, including the principles of subsidiarity and proportionality in the interinstitutional context; notes, however, that further work still needs to be done in this context; suggests as a first step that the Commission engage in a yearly debate with each of the national parliaments in order to strengthen the dialogue between the Commission and the national parliaments;

4. Believes furthermore that the principles of subsidiarity and proportionality represent the starting point for policy formulation; stresses therefore the importance of assessing at the beginning of the legislative process whether policy objectives can be achieved better at European level than by means of national or regional initiatives;

5. Notes the importance of parliaments and of their territorial impact and closeness to the citizens, and calls, where appropriate, for their greater involvement in the early warning system;

6. Notes, however, that a majority of opinions by national parliaments are submitted by only a few national chambers; encourages the other chambers to become more involved in the European debate;

7. Stresses the need for the European institutions to respect the principles of subsidiarity and proportionality embodied in Article 5 of the Treaty on European Union and Protocol No 2 to the Treaty on the Functioning of the European Union, which are of a general nature and binding on the institutions exercising the powers of the Union, except for those areas which fall within the exclusive remit of the Union, where the subsidiarity principle does not apply;

8. Considers that the mechanism for verification of the subsidiarity principle is of major importance for collaboration between European and national institutions;

9. Notes that the annual reports prepared by the Commission are somewhat perfunctory, and calls on the Commission to consider preparing more detailed reports regarding the way subsidiarity and proportionality are observed in EU policy-making;

10. Notes the methodology of the Commission in the 2012 and 2013 Annual reports, within which statistics are used to classify reasoned opinions submitted by national parliaments on a package of proposals as only one reasoned opinion, rather than a reasoned opinion on each of the individual proposals;

11. Notes that, when taken as a whole, the proportion of reasoned opinions has increased significantly as a percentage of total submissions when compared to 2010 and 2011 and that in 2012 reasoned opinions represented 25 % of all submissions, while in 2013 they accounted for 30 % of submissions from national parliaments under the Protocol 2 process; notes in this regard the consultation of national parliaments in the legislative process;

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12. Points out that 2012 saw the first use of the so-called yellow card procedure by national parliaments regarding the principle of subsidiarity in response to the Commission's proposal for a regulation on the exercise of the right to take collective action within the context of freedom of establishment and the freedom to provide services (Monti II); notes that although the Commission concluded that the principle of subsidiarity had not been breached it did withdraw the proposal due to lack of political support; remarks that a second so-called yellow card was triggered in 2013 on the Commission's proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office (EPPO); notes that Commission concluded that the proposal complied with the principle of subsidiarity and decided to maintain it;

13. Notes that reasoned opinions issued by national parliaments point out the existence of various interpretations of the principles of subsidiarity and proportionality; recalls in this context that the subsidiarity principle as formulated in the Treaties allows the Union to act in areas which do not fall within its exclusive competence only 'if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of scale or effects of the proposed action, be better achieved at Union level'; recalls equally that 'under the principle of proportionality, the content and form of Union action shall not exceed what is necessary to achieve the objective of the Treaties'; encourages national parliaments to be faithful to the letter of the TEU when assessing compliance with the principles of subsidiarity and proportionality; strongly recommends that national parliaments and European institutions engage in exchanges of views and practices of scrutinising subsidiarity and proportionality;

14. Notes that the reasoned opinions submitted by national parliaments vary considerably with regard to the types of arguments raised and their form; regrets the absence of common patterns which makes it more difficult to evaluate on what basis national parliaments intervene;

15. Recalls concerns raised in previous Parliament reports regarding instances where subsidiarity had not been adequately addressed in impact assessments (IAs) prepared by the Commission; further recalls that the Annual Reports of the Impact Assessment Board (IAB) have raised this issue; notes that the IAB considered more than 30 % of IAs reviewed by them in 2012 and 2013 to have included an unsatisfactory analysis of the principle of subsidiarity; expresses concern that this number rose to 50 % in 2014, and urges the Commission in its revision of the guidelines for IAs to address this issue and reverse this trend;

16. Notes the importance of impact assessments as decision-making aids in the legislative process and stresses the need, in this connection, to give due consideration to issues relating to subsidiarity and proportionality;

17. Stresses that thorough impact assessments which thoroughly evaluate subsidiarity compliance are essential to improve the trust of citizens, who often consider the subsidiarity principle a key aspect of the democratic process; highlights, therefore, that enhanced subsidiarity checks could be considered an important tool for reducing the so-called 'democratic deficit';

18. Reiterates the call made in its abovementioned resolution of 14 September 2011 for the use of national impact assessments as a complement to those carried out by the Commission — the reform of which is under discussion — in support of proposed legislation; believes that Parliament's recently created impact assessment units will offer a positive complement to the Commission's work;

19. Expresses disappointment at the response of the Commission to national parliaments in instances where yellow cards have been issued; believes that it is necessary for the Commission to respond comprehensively to any concerns raised by national parliaments, and on an individual basis as part of a dialogue in addition to any published opinion; considers that it is also necessary for the Commission to appear before the relevant committee or committees of the Parliament to explain its position in detail;

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20. Highlights that the yellow card procedure, which is an instrument for influencing EU decision-making, could effectively be strengthened by an earlier exchange of information on positions of national parliaments and therefore encourages national parliaments to exchange views on the scope and evaluation methods applied in order to assess conformity with the subsidiarity and proportionality principles;

21. Believes that political dialogue is increasingly important in ensuring that subsidiarity is respected; considers that political dialogue should be improved not only in instances of a yellow or orange card, but as a general rule; welcomes in this regard the Juncker Commission's undertaking to appear before more national parliaments, and calls for the Parliament to consider undertaking similar initiatives; believes that rapporteurs could be encouraged to engage more often with national parliaments, particularly as video-conferencing and other methods of online engagement are made easier and more effective;

22. Stresses that the European institutions and the national parliaments should continue to work to promote a 'subsidiarity culture' across the EU; recommends two particular initiatives which will aid better consideration of subsidiarity in the legislative process at present, namely facilitating greater inclusion of positions, perspectives or other suggestions made by national parliaments in the political dialogue, in particular in the course of preparatory work such as Green Papers or White Papers produced by the Commission, and considering an extension of the time period for consultation of national parliaments under the subsidiarity check if national parliaments request this on grounds of time constraints on the basis of justified objective reasons, such as natural disasters and recess periods, to be agreed between national parliaments and the Commission; considers that this could be achieved through a political undertaking agreed by the institutions and the national parliaments in the first instance, without giving rise to a delay in the adoption of relevant legislation;

23. If the Member States agree to extend the period given to national parliaments to issue a reasoned opinion under Article 6 of the Protocol on the application of the principles of subsidiarity and proportionality, it should be included in a next Treaty revision; such an extension period could then also be determined in secondary legislation;

24. Considers it important that the yellow card procedure be easily implementable for parliaments, while reaffirming the principle of subsidiarity in accordance with the Treaties;

25. Notes that several national parliaments in COSAC have expressed their interest in proposing the introduction of a green card as an instrument for improving political dialogue, which would afford national parliaments, having first secured the support of Parliament, the opportunity to make constructive proposals for the Commission's consideration and with due regard for the Commission's right of initiative;

26. Notes that legislative proposals may change dramatically in the lead-up to adoption by the institutions; recalls that a check on compliance with the principle of subsidiarity is only undertaken at the outset and not at the conclusion of the legislative process; further recalls that impact assessments more generally are only prepared for the initial rather than the final stages of the legislative process; stresses the need for a mid-term evaluation after the opening of the adoption procedure, and at the end of the legislative process, making it possible in certain cases to issue a warning to Member States failing to respect the principle of subsidiarity;

27. Calls therefore for a further subsidiarity check and full impact assessment to be undertaken at the conclusion of the legislative negotiations and in advance of the adoption of a final text, in order that compliance with subsidiarity can be guaranteed and that assessments including proportionality can be made; believes that such a 'cooling off' period would help policy-makers in assessing whether legislation complies with the principles of the Union, and would increase transparency about the results of periods of often rather intense negotiation;

28. Takes note of the new Commission's policy goals relating to initiatives and proposals for EU legislation, namely: minimum cost; benefits for citizens, businesses and workers; and avoidance of unnecessary regulatory burdens;

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29. Considers that programmes under the multiannual financial framework should assess and prove compliance with the subsidiarity principle in terms of demonstrable added value within the beneficiary Member States;
  30. Asks the Commission, in compliance with the proportionality and subsidiarity principles, to simplify the procedure for applying for EU funds, with a view to making the application procedure more efficient and results-oriented;
  31. Underlines its commitment to ensuring compliance with principles of subsidiarity and proportionality through assessments of its own legislative own-initiative reports, ex-ante appraisals of Commission impact assessments and the constant assessment of the potential EU added value and the 'cost of non-Europe';
  32. Notes namely the recent discussions on investor-state dispute settlement (ISDS) and the Commission's proposals to replace the current model; recalls that Article 3 of the Treaty on the Functioning of the European Union designates the common commercial policy as an integral area of exclusive Union competence which shall be based on uniform principles; notes, therefore, that the principle of subsidiarity does not apply to the common commercial policy;
  33. Calls on the Member States to unblock the UNCITRAL Convention on Transparency in Treaty-Based Investor-State Arbitration in order for the Commission to sign the convention on behalf of the whole Union; deplores the current situation in which some Member States are party to the convention while others are not; considers that this example underlines the need for improved clarity on all sides regarding the scope of the Union's exclusive competence on foreign direct investment; recalls that different policies implemented by the Member States as regards investment protection have led to the current situation in which the Member States are party to some 1 400 bilateral investment treaties with, at times, different provisions, which could lead to varying treatment of EU investors abroad, depending on the origin of the investment in question;
  34. With respect to EU financial assistance to other countries, specifically macro-financial assistance, calls for more in-depth ex-ante and ex-post impact assessments regarding the proportionality of the proposed measures in order for the assistance to be efficient and genuinely helpful to our partners in need; insists on the necessity of establishing conditionality for disbursement of the assistance and proper control of the use of the funds, including measures in relation to the prevention of, and fight against, fraud and corruption, and detailed scrutiny by Parliament; calls for a strong integration of the EU's external instruments, combining trade, development and foreign and security policy; stresses that the Member States have to show more commitment in this regard;
  35. Points out the utmost importance of proper consultation, dialogue and involvement of citizens, businesses (namely SMEs) and civil society in the EU decision-making process for trade policy;
  36. Instructs its President to forward this resolution to the Council and the Commission.
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P8\_TA(2016)0104

**Regulatory Fitness and Performance Programme****European Parliament resolution of 12 April 2016 on Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook (2014/2150(INI))**

(2018/C 058/04)

*The European Parliament,*

- having regard to the Interinstitutional Agreements on Better Lawmaking <sup>(1)</sup>,
- having regard to the practical arrangements agreed on 22 July 2011 between the competent services of the European Parliament and the Council for the implementation of Article 294(4) TFEU in the event of agreements at first reading,
- having regard to its resolution of 4 February 2014 on EU regulatory fitness and subsidiarity and proportionality — 19th report on better lawmaking covering the year 2011 <sup>(2)</sup>,
- having regard to its resolution of 27 November 2014 on the revision of the Commission's impact assessment guidelines and the role of the SME test <sup>(3)</sup>,
- having regard to its resolution of 25 February 2014 on follow-up on the delegation of legislative powers and the control by Member States of the Commission's exercise of implementing powers <sup>(4)</sup>,
- having regard to its resolution of 13 September 2012 on the 18th report on better legislation — application of the principles of subsidiarity and proportionality (2010) <sup>(5)</sup>,
- having regard to its resolution of 14 September 2011 on better legislation, subsidiarity and proportionality and smart regulation <sup>(6)</sup>,
- having regard to its resolution of 8 June 2011 on guaranteeing independent impact assessments <sup>(7)</sup>,
- having regard to the Council conclusions on Smart Regulation of 4 December 2014,
- having regard to the Commission report on Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook (COM(2014)0368),
- having regard to the Commission's previous communications on EU Regulatory Fitness (COM(2012)0746 and COM(2013)0685),
- having regard to the Commission report on subsidiarity and proportionality (19th report on Better Lawmaking covering the year 2011) (COM(2012)0373),
- having regard to the Commission communication entitled 'Smart regulation — Responding to the needs of small and medium-sized enterprises' (COM(2013)0122),

<sup>(1)</sup> OJ C 321, 31.12.2003, p. 1; Texts adopted on 9 March 2016, P8\_TA(2016)0081.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0061.

<sup>(3)</sup> Texts adopted, P8\_TA(2014)0069.

<sup>(4)</sup> Texts adopted, P7\_TA(2014)0127.

<sup>(5)</sup> OJ C 353 E, 3.12.2013, p. 117.

<sup>(6)</sup> OJ C 51 E, 22.2.2013, p. 87.

<sup>(7)</sup> OJ C 380 E, 11.12.2012, p. 31.

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- having regard to the Commission staff working document on monitoring and consultation on smart regulation for SMEs (SWD(2013)0060),
  - having regard to the Commission communication on smart regulation in the European Union (COM(2010)0543),
  - having regard to the Commission's Stakeholder Consultation Guidelines 2014,
  - having regard to the final report of 24 July 2014 of the High Level Group of Independent Stakeholders on Administrative Burdens, entitled 'Cutting Red Tape in Europe — Legacy and Outlook', and in particular the dissenting opinion in Annex 12 from four members of the High Level Group with a background in advocacy for workers, for public health, for the environment and for consumers,
  - having regard to the opinion of the European Economic and Social Committee of 10 December 2014 <sup>(1)</sup>,
  - having regard to the Commission communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions entitled 'Better regulation for better results — An EU agenda' (COM(2015)0215),
  - having regard to the Commission communication to the European Parliament and the Council entitled 'Proposal for an Interinstitutional Agreement on Better Regulation' (COM(2015)0216),
  - having regard to the Commission decision establishing the REFIT Platform (C(2015)3261) and the Commission communication entitled 'The REFIT Platform — Structure and Functioning' (C(2015)3260),
  - having regard to the decision of the President of the European Commission on the establishment of an independent Regulatory Scrutiny Board (C(2015)3263), the Commission communication 'Regulatory Scrutiny Board — Mission, tasks and staff' (C(2015)3262), and the Commission communication 'Standard Explanatory Memorandum' (C(2015)3264/2),
  - having regard to the Commission staff working document entitled 'Better Regulation Guidelines' (SWD(2015)0111),
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs and the opinions of the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Food Safety and the Committee on the Internal Market and Consumer Protection (A8-0208/2015),
- A. whereas the REFIT Programme is a key component of the new Commission strategy for better lawmaking;
- B. whereas the REFIT Programme aims to consolidate better lawmaking procedures, to simplify EU law and reduce administrative and/or regulatory burdens, and to embark on a path towards good governance grounded in evidence-based policymaking, in which impact assessments and ex-post evaluations play an important role, without replacing political decisions;
- C. whereas the Commission has set up a new Refit Platform to support its work in the context of the REFIT Programme, which is made up of two groups: the 'government group', comprising high-level experts from the civil service in each Member State, and the 'stakeholder group', comprising up to 20 experts, two of whom represent the European Economic and Social Committee and the Committee of the Regions, with the remaining experts representing business, including SMEs, the social partners and civil society organisations;

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<sup>(1)</sup> EESC document INT/750.

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- D. whereas the annual REFIT scoreboard allows for the assessment of progress made in all policy areas and of each initiative identified by the Commission, including actions taken by Parliament and the Council;
- E. whereas the Interinstitutional Agreement on Better Lawmaking of 2003 has been outdated by the current legislative environment created by the Treaty of Lisbon;
- F. whereas in the past years the better regulation agenda has nevertheless contributed to improving legislative practices; whereas the large number of different names and programmes introduced by the Commission in the area, such as 'better regulation', 'better lawmaking', 'smart regulation', 'regulatory fitness', 'Think Small First', 'fitness checks' and 'ABR+', do not provide sufficient clarity and transparency as regards the aims of the measures, particularly for citizens, and should therefore be better combined;
- G. whereas, with its communication 'Better regulation for better results — An EU agenda' of 19 May 2015, the Commission has now proposed a coherent holistic approach to better lawmaking that takes account of the entire policy cycle of lawmaking and requires targeted interaction among all the institutions, and whereas for this reason the communication will be closely studied by Parliament in order to achieve the best possible results in the interest of Union citizens;
- H. whereas the aims and objectives of the Union spelled out in Article 3 TEU are all of equal import; whereas the Commission underlines that the REFIT programme does not call into question existing policy objectives, nor should it impact negatively on the health and safety of citizens, consumers, workers or the environment;
- I. whereas in the second half of 2014 the Commission conducted public consultations on the revision of its Impact Assessment guidelines and on its Stakeholder Consultation guidelines;
- J. whereas the Commission, in establishing its work programme for 2015, for the first time applied the so-called principle of political discontinuity as justification for withdrawing a huge number of pending legislative proposals;
- K. whereas in its work programme for 2015 the Commission planned to focus its activities on the major economic and social challenges, and its new structure aims to guarantee a more coherent policy approach, thereby increasing transparency in the EU and thus acceptance among citizens;

### **Better regulation**

1. Notes the decision of Commission President Juncker to entrust the First Vice-President of the Commission with the portfolio of better regulation, which responds to calls by the European Parliament and underlines the high political importance of this topic; expects that this designation will lead to European legislation which is of the best possible quality, meets the expectations of citizens and stakeholders and ensures that public policy objectives, including consumer, environmental, social and health and safety standards, will not be jeopardised;

2. Points out that better regulation should encompass the 'culture' of public administration at all levels of the European Union, bearing in mind the excessive levels of red tape EU-wide and the need to simplify legislation, and should include the implementation and application of Union acts at European level, as well as at national, regional and local level, in order to ensure good administration and 'Europe-friendly conduct' at all levels;

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3. Underlines that the Commission should prioritise the development of certain measures and should focus on the quality of legislation and better enforcement of existing legislation rather than on the number of legislative acts; underlines in this regard that costs should not be the decisive factor but that quality of legislation is the only appropriate benchmark and that the REFIT programme must not be used to undermine sustainability or any social, labour, environmental or consumer standards;

4. Suggests that the Commission takes the introduction of 'sunset clauses' into consideration in time-limited legislative initiatives, on condition that this does not lead to legal uncertainty, and include if appropriate 'review clauses' in legislative measures to regularly reassess the continued relevance of legislative measures at European level;

5. Stresses that a European standard generally replaces 28 national standards, thereby underpinning the single market and cutting down on bureaucracy;

6. Welcomes the package of measures of 19 May 2015 aimed at better regulation; supports the continued commitment shown by the Commission to the better lawmaking agenda; underlines that the work foreseen in the REFIT Communication should be seen as an ongoing process, ensuring that the legislation in force at European level is fit for purpose, achieves the shared objective of the legislators and meets the expectations of citizens, in particular employees, businesses, and other stakeholders;

7. Notes the Commission's commitment to the new interinstitutional agreement on better lawmaking that takes account of the changes brought about by the Lisbon Treaty and the Framework Agreement between Parliament and the Commission, which consolidates best practices in areas such as legislative planning, impact assessments, systematic ex-post checks of EU legislation and the implementation and handling of delegated and implementing acts, and notes the conclusion of the negotiations;

8. Welcomes the confirmation given by the Commission that its better regulation strategy is not aimed at deregulating particular policy areas or calling into question values to which we attach importance, such as social protection, environmental protection and fundamental rights, including the right to health;

9. Acknowledges the long-term intensive work of the High Level Group of Independent Stakeholders, which has submitted proposals for reducing administrative burdens to the European Commission and identified best practice with a view to implementing EU legislation in the Member States in as unbureaucratic a way as possible; takes note that four members of the High Level Group of Independent Stakeholders have come out against several of the conclusions presented in the Group's final report on administrative burdens and produced a dissenting opinion; expects the Commission to take account of the concerns of all stakeholders involved in the process;

10. Stresses the importance of social dialogue and respect for the autonomy of the social partners; underlines in particular with regard to Article 9 TFEU that the social partners may, in accordance with Article 155 TFEU, conclude agreements that can lead to EU legislation at the joint request of the signatory parties; expects the Commission to respect the autonomy of the parties and their negotiated agreements, and to take their concerns seriously, and stresses that the better regulation agenda should not be a pretext for disregarding or bypassing agreements reached between the social partners, and would therefore reject any impact assessments of social partner agreements;

11. Points out that during the previous parliamentary term the choice between implementing acts and delegated acts caused numerous interinstitutional disputes; considers it important, therefore, for specific guidelines to be drawn up, as requested by the European Parliament in its resolution adopted on 25 February 2014;

12. Welcomes the announcement by the Commission that it intends to simplify the administration of grants under the Common Agricultural Policy (CAP), the European Structural and Investment Funds and Horizon 2020;



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**Transparency and stakeholder consultations**

13. Welcomes the recognition by the Commission of the important role played by the consultation process in the REFIT programme; points out that, according to Article 11(2) TEU, all EU institutions are required to maintain an open, transparent and regular dialogue with representative associations and civil society; calls on the institutions to pay special attention to the obligatory and regular dialogue with representative associations, and with civil society;
14. Observes that by means of greater transparency the functioning of the EU can be rendered more efficient and civil society's confidence in the EU strengthened;
15. Welcomes in this connection the Commission's affirmation that dialogue with citizens, the social partners and other economic and civil society stakeholders contributes to ensuring transparent, effective and coherent EU legislation, and supports the Commission's intention of indicating more precisely how it arrives at its proposals, for example in the form of legislative texts or Commission communications;
16. Observes that, in its better lawmaking strategy, the Commission significantly upgrades the role of public consultation; notes that in future the Commission will carry out a 12-week public consultation exercise (a) before drafting new legislative proposals and (b) when existing legislative provisions are assessed and their suitability checked and (c) on roadmaps and ex-ante impact assessments; notes furthermore that, in addition, after a proposal has been adopted, the Commission will give citizens and stakeholders the opportunity to comment on the Commission proposal within eight weeks and will forward these positions to the Council and Parliament;
17. Calls on the Commission, against this background, to conduct a balanced and transparent assessment of the positions of, and feedback from, all participants in the consultation procedure and in particular to ensure that public consultations cannot be misused for their own purposes by well-funded and -organised stakeholder organisations; calls on the Commission to publish its conclusions from consultations;
18. Observes that impact assessments should be published only when the Commission has adopted the political initiative concerned; in the interests of the transparency of Commission decisions, considers it necessary that impact assessments should also be published when it has taken the decision not to submit a legislative proposal;
19. Notes that the Economic and Social Committee, which enjoys consultative status, plays a key role in representing civil society; notes that the Committee of the Regions, which likewise enjoys consultative status, plays a key role in representing regional and local authorities in the EU and in assessing the implementation of EU legislation; notes that both advisory bodies may, under current legislation, be consulted in advance by Parliament, Council and Commission in all cases where Parliament and the Council deem it useful; takes the view that, if they are properly consulted on specific issues sufficiently well in advance and advantage is taken of their specific areas of expertise, this can contribute to the purposes of better legislation;
20. Considers that there should be stronger involvement on the part of regional and local authorities in EU policy making, in particular by involving Member State expertise and experience at regional and local levels at an early stage in the preparation of legislation; notes that all the institutions must observe the principles of subsidiarity and proportionality in their legislative work;
21. Welcomes the Commission's intention of making the legislative process more transparent and involving the public and stakeholder representatives more in the whole process;
22. Welcomes the Commission's decision in future also to conduct four-week public consultation exercises on draft delegated acts and major implementing acts before the Member States vote on their position in the committee responsible;
23. Calls on the Commission to review its evaluation guidelines by stepping up the participation and consultation of stakeholders and using the most direct method in order to enable EU citizens to take part in decision-making;

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24. Notes the new 'Lighten the Load — Have Your Say' section of the Commission's webpages on better lawmaking and calls for a balanced and transparent examination by the Commission and by the new REFIT Platform of the comments received there; believes, however, that the REFIT panel should not be too burdensome in its processes and deliberations, but should be a body capable of fast responses as well as more detailed work in the European legislation process; is of the opinion that consultation via this Commission website cannot replace public consultations of stakeholders;

### ***Impact assessments and European added value***

25. Notes that impact assessments constitute an important tool for supporting decision-making in all the EU institutions and play a significant role in better regulation; in this regard, calls on the Commission and Member States to be more rigorous in fulfilling their commitments and in assessing the impact of future and existing legislation; underlines, however, that such assessments are not a substitute for political assessments and decisions and that the freedom of Members of the European Parliament to carry out their political work must not be restricted in any way;

26. Believes that a competitiveness assessment should form a significant part of the impact assessment process; considers that the draft revised guidelines should contain guidance on how impacts on competitiveness should be assessed and weighted in the final analysis; supports a standing presumption that proposals with a negative impact on competitiveness should not be adopted by the Commission unless evidence supporting significant unquantifiable benefits is presented;

27. Believes that better regulation principles should apply to decisions on secondary legislation as well as primary legislation; calls on the Commission, where appropriate, to accompany delegated and implementing acts with an impact assessment, including consultation with interested parties and stakeholders;

28. Believes that impact assessments must be comprehensive, that there must be a balanced evaluation of economic, social and environmental consequences in particular, and that impact on the fundamental rights of citizens and equality between women and men must be assessed; stresses that the cost-benefit analysis is only one of many criteria;

29. Points out that in many Member States, such as Sweden, the Czech Republic, the Netherlands, the United Kingdom and Germany, independent bodies provide governments with constructive input in connection with legislative processes, with the aim of cutting red tape for business and citizens and of measurably and verifiably reducing costs related to obligations to provide information; notes that the best practices and experience of existing better regulation bodies could be taken into account; takes note of the conversion of the Commission's Impact Assessment Board (IAB) into an independent 'Regulatory Scrutiny Board' (RSB) and expects that the inclusion of independent experts will have an advantageous effect on the impact assessment process within the Commission; insists that the Regulatory Scrutiny Board has only an exclusively advisory role and must not issue binding opinions; insist that impact assessments must be consistent and take any changes introduced at the inter-service consultation phase into consideration and should be based *inter alia* on estimating what the additional costs would be for the Member States if there were no solution at European level; considers that the opinion of the RSB should accompany the final legislative proposal; proposes to discuss in the forthcoming negotiation on the interinstitutional agreement the idea whether a Regulatory Control Council might be of common interest for the institutions as a purely advisory body;

30. Welcomes the fact that the Council Working Parties are now, at an early stage of the debate on specific legislative proposals, to consider the relevant Commission impact assessments on the basis of an indicative check list: regrets, however, that the Council Secretariat does not yet have an impact assessment unit of its own and believes that the aforementioned solution could contribute towards the Council fulfilling its obligations in assessing any substantive amendments to the Commission proposals;

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31. Points out that Parliament has established an in-house Directorate for Impact Assessment and European Added Value, which offers a host of ex-ante and ex-post impact assessment services for parliamentary committees, assesses the added value of prospective or current EU policies, and assesses science and technology policy options; notes that, according to information from the Commission, about twenty Parliament in-house impact assessments have been conducted in connection with changes to Commission proposals; reminds Parliament's specialist committees to make more consistent use of in-house impact assessment instruments, particularly where substantial changes to the original Commission proposal are being envisaged; points out, however, this must not lead to a restriction of the room for manoeuvre available to Members of the European Parliament;

32. Stresses the need to take account of each of the principles upon which the Union is founded, including the principles of subsidiarity and proportionality; calls on all EU institutions always to consider the short- and long-term effects of legislation;

33. Notes that a cooling-off period taken after the conclusion of negotiations but in advance of a final vote — currently used for lawyer-linguistic revision — could be further utilised for the completion of an impact assessment and subsidiarity check;

34. Believes that all EU institutions should develop a common methodological approach to impact assessments; stresses the fact that the legislative prerogatives of Parliament and the Council to amend a proposal from the Commission must remain undiminished;

35. Urges the Commission to increase its consultation procedure, both public and private, with all stakeholders, including consumers, when preparing delegated and implementing acts, with a view to considering how to enhance awareness of proposals at a provisional stage;

### ***SMEs and Think Small First***

36. Notes the Commission's commitment to further improving the SME test, particularly in view of the fact that the more than 20 million small and medium-sized enterprises (SMEs) account for 99 % of all businesses in the EU and that, as such, SMEs are the cornerstone of economic activity, growth and employment; supports consideration of adapted agreements and more flexible SME impact assessment rules, provided that it can be shown that they do not undermine the effectiveness of legal provisions and that exemptions or more flexible provisions do not encourage fragmentation of the internal market or hamper access to it; welcomes, therefore, the Commission's commitment to give consideration to more flexible rules for SMEs, including an outright exemption for microbusinesses, provided it is appropriate and feasible and effective realisation of the social, ecological and economic objectives of proposed legal provisions is not undermined;

37. Calls on the Commission not to abandon its ambitious targets of reducing the administrative burden on SMEs and thereby helping to establish a basis for the creation of quality jobs, and urges that measures be taken to ensure that objectives concerning the public interest including user-friendly, ecological, social, health and safety and gender-equality standards are not compromised; stresses that the reduction of administrative burdens must not lead to a reduction in employment standards or an increase in precarious employment contracts, and that workers in SMEs and micro-enterprises must enjoy the same treatment and high standard of protection as workers in larger companies;

38. Stresses that evaluation of new rules regarding their impact on SMEs must be in no way detrimental to workers' rights;

39. Stresses the need for more clearly worded regulations that can be implemented in a simple manner and can help all actors operate within the rule of law; underlines that simpler and smarter regulation can facilitate consistent transposition and more effective and uniform enforcement by Member States;

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### ***Ex-post evaluations***

40. Welcomes the fact that the Commission is making ex-post analysis an integral part of better regulation; stresses that, in the interests of legal certainty for citizens and businesses, such analyses should be carried out within a sufficient time-frame, preferably several years after the deadline for transposition into national law; recalls, however, that ex-post evaluations should never replace the Commission's duty as guardian of the Treaties to monitor effectively and in a timely fashion the application of Union law by Member States and to take all necessary steps to ensure good application thereof;

41. Underscores the importance of ex-post assessment and policy performance appraisal for an evaluation of the implementation and efficiency of EU legislation and EU policies in the light of the legislative authority's intended outcomes;

42. Considers that national parliaments should be involved in the ex-post evaluation of new legislation, as this would also benefit the Commission's reports and help explore the different national challenges posed by individual laws and regulations;

### ***The implementation of EU legislation by Member States***

43. Notes that, according to the Commission, one third of the regulatory and administrative burden of EU legislation follows from transposition measures undertaken by the Member States;

44. Acknowledges that, in the case of directives, it is the prerogative of the Member States to decide whether to adopt higher social, environmental and consumer protection standards at national level than those minimum standards of protection agreed upon at EU level, and welcomes any decision to do so; reaffirms that such higher standards must not be regarded as 'gold plating'; calls, however, on the competent national authorities to be aware of the possible consequence of the practice of so-called 'gold plating', by which unnecessary bureaucratic burdens are added to EU legislation, since this may lead to a misconception of the legislative activity of the EU, which in turn might foster Euroscepticism; calls, for the sake of user-friendliness, on Member States to waive unnecessary administrative rules on site in the implementation of directives and regulations;

45. Encourages the Commission and the Member States to intensify the exchange of best practices in the implementation and application of EU directives; considers that this would encourage stakeholders and local and regional authorities to participate in determining the difficulties encountered in implementing EU policy at local, regional and national level;

46. Stresses that Parliament, as one arm of the legislative authority, has an interest in understanding what the impact of EU legislation actually is after it has been implemented; calls on the Commission, therefore, to grant Parliament full access to any assessments in that connection, including the source data collected and preparatory documents;

47. Calls on the Commission, in view of the serious and persistent problems which arise in the implementation of Regulation (EC) No 1924/2006 on nutrition and health claims made on foods, including problems of distortion of competition, to review the scientific basis of this regulation and how useful and realistic it is and, if appropriate, to eliminate the concept of nutrient profiles; considers that the aims of Regulation (EC) No 1924/2006, such as ensuring that information which is provided concerning foods is true and that specific indications are given concerning fat, sugar and salt content, have now been achieved by Regulation (EU) No 1169/2011 on the provision of food information to consumers;

48. Points to the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents and to the Joint Political Declaration of 27 October 2011 of the European Parliament, the Council and the Commission on explanatory documents, and calls on the Commission to ensure that Parliament has access to explanatory documents;

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***The Commission's withdrawal of pending legislative proposals***

49. Notes that, in its 2015 working programme the newly elected Commission has, for the first time, put all pending legislative initiatives to the test under the principle of political discontinuity;

50. Points out that the Court of Justice affirmed in its judgment of 14 April 2015 <sup>(1)</sup> that the Commission may at any time in the course of the adoption of a Union act under the ordinary legislative procedure withdraw a proposal as long as the Council has not acted; calls, therefore, for the sake of interinstitutional balance, on the Commission, in the event of withdrawal, to first consult Parliament, especially after the first reading, and to duly take into account its positions; refers in this context in particular to Parliament's resolutions of 15 January 2015;

51. Points out, furthermore, that the Court of Justice, in the same judgment, takes up the Council's arguments to the effect that the Commission, in the event of the withdrawal of a legislative proposal, must comply with the principle of conferral of powers, the principle of institutional balance and the principle of sincere cooperation, as laid down in Article 13(2) TEU, and with the principle of democracy, as laid down in Article 10(1) and (2) TEU;

52. Highlights the importance of avoiding legislative duplication;

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53. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments.

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<sup>(1)</sup> Judgment of the Court of Justice of 14 April 2015 in Case C-409/13, *Council v Commission* [ECLI:EU:C:2015:217].

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P8\_TA(2016)0105

## **Towards improved single market regulation**

**European Parliament resolution of 12 April 2016 on Towards improved single market regulation (2015/2089(INI))**

(2018/C 058/05)

*The European Parliament,*

- having regard to the Commission communication of 28 November 2014 entitled ‘Annual Growth Survey 2015’ (COM(2014)0902),
  - having regard to its resolution of 7 February 2013 with recommendations to the Commission on the governance of the Single Market <sup>(1)</sup>, and to the Commission’s follow-up thereon adopted on 8 May 2013,
  - having regard to the Commission communication of 8 June 2012 entitled ‘Better Governance for the Single Market’ (COM(2012)0259),
  - having regard to the Commission communication of 18 June 2014 entitled ‘Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook’ (COM(2014)0368),
  - having regard to the Commission communication of 7 March 2013 entitled ‘Smart regulation — Responding to the needs of small and medium-sized enterprises’ (COM(2013)0122),
  - having regard to the European Council conclusions of 26-27 June 2014,
  - having regard to the Competitiveness Council conclusions on smart regulation of 4 December 2014,
  - having regard to its resolution of 11 March 2015 on single market governance within the European Semester 2015 <sup>(2)</sup>,
  - having regard to its resolution of 27 February 2014 on SOLVIT <sup>(3)</sup>, and to the Commission’s follow-up thereon adopted on 28 May 2014,
  - having regard to the research study commissioned by its Internal Market and Consumer Protection Committee on ‘Smart Single Market Regulation’,
  - having regard to the April 2015 edition of the online Single Market Scoreboard,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on the Internal Market and Consumer Protection (A8-0278/2015),
- A. whereas the single market is a key tool for reigniting economic growth and job creation in the Union;
- B. whereas, more than 20 years after its official creation, the single market framework is still fragmented, in particular because the Member States have not fully transposed or correctly implemented EU legislation;

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<sup>(1)</sup> OJ C 24, 22.1.2016, p. 75.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0069.

<sup>(3)</sup> Texts adopted, P7\_TA(2014)0164.

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- C. whereas there is a need to strengthen the governance of the single market by addressing the whole policy cycle;
- D. whereas the forthcoming internal market strategy should be aimed at improving single market regulation through an effort to learn from the experiences of the past in the areas of free movement of goods and services, the digital single market, professional qualifications and public procurement;
- E. whereas it is the concept of shared responsibility that should frame how the Union seeks to improve single market regulation;
- F. whereas the responsibility for subsidiarity extends beyond the Commission, the Council and Parliament, and includes a role for national and — where appropriate — regional parliaments; whereas the subsidiarity principle implies that policies should be decided at the most appropriate institutional level, be it local, regional, national or European;
- G. whereas we have a single market for goods but not a single market for services;
- H. whereas specific tools should be strengthened, revised or better promoted in order to make a positive contribution to providing a competitive regulatory environment for our businesses, supporting growth and job creation, and enhancing consumers' trust in European legislation;
- I. whereas there is a low level of knowledge and awareness among both citizens and businesses of various assistance services such as Your Europe and SOLVIT;
- J. whereas there is a lack of sufficient indicators and data for measuring successful implementation of legislation in different areas of the single market;
- K. whereas such indicators and data could clarify the aim and purpose of the legislation in question;
- L. whereas digital innovation is outpacing politics, and entrepreneurs are driving the digital agenda; whereas it is of key importance to provide future-proof rules that are digital by default;
- M. whereas the proper transposition, implementation and enforcement of consumer rights and law is essential in order to achieve a high level of consumer protection in the Union;
- N. whereas one of the main priorities of the 2015 European Consumer Summit, an annual forum bringing together key European and international policymakers and stakeholders, was better implementation and enforcement of the law;

### ***1. Introduction and general principles***

1. Asks the Commission to take into account the recommendations contained in this resolution in the implementation of its recent internal market strategy;
2. Considers that improving single market regulation should be both a priority and a shared responsibility of the EU institutions; believes that good legislation works to the benefit of citizens and should contribute to stimulating competitiveness, job creation, growth and SME development while delivering a high level of consumer protection, and that it must do so in a way that stimulates, rather than frustrates, the European economy;
3. Views 'better regulation' in the context of the whole policy cycle, whereby all elements contribute to efficient and effective regulation; considers, therefore, that specific indicators for measuring the success of relevant legislation should be included right from the initial impact assessment and used throughout the whole policy cycle, including the implementation of the legislation when it enters into force;

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4. Recalls, in this context, the importance of transparent and accessible information; considers it regrettable that whereas Parliament documents are accessible to the wider public, Council documents are not, and instead remain restricted;
5. Considers that the principle of subsidiarity must represent the starting point for policy formulation, so as to underline 'European added value' in the governance of the single market;
6. Notes that the deadlines associated with the subsidiarity mechanism do not always provide adequate time for parliaments to consider in detail aspects of implementation, coherence with existing legislation, and other practical matters; considers, therefore, that parliaments themselves could play a more active role, particularly in consultation processes;
7. Believes that the institutions should jointly undertake to ensure that the principle of proportionality is reflected in the drafting of the relevant legislation; believes, furthermore, that the process should achieve the aims of simplicity, transparency, coherence and respect for fundamental rights;
8. Calls on the Commission and the Council to reflect, together with Parliament, on how best to ensure that simplification is an ongoing process, as efforts in these areas are of benefit to consumers and SMEs;
9. Considers that single market regulation should take into account the new opportunities afforded by the digital revolution and should be fully compatible with the e-government dimension;
10. Calls on the Commission to strengthen the role of the single market as a separate pillar of the European Semester process, which should be supported by an annual Single Market Integration report as an input to the Annual Growth Survey;

## **II. Tools to improve single market regulation**

### *Impact assessment*

11. Believes that single market legislation should have as its aim the better functioning of the single market, be developed in accordance with Article 3(3) of the Treaty on European Union (TEU), and serve to promote competitiveness, innovation, growth and job creation; views effective impact assessments as an important tool for informing policymakers about how best to design regulation to achieve these aims and their single market objectives, and about the potential effects of its interplay with existing legislation;
12. Considers it regrettable that around 40 % of draft impact assessments examined by the Commission Impact Assessment Board from 2010 to 2014 were considered to be of insufficient quality and were sent back for improvements;
13. Considers that, in order to be effective tools, impact assessments should be prepared on the basis of comprehensive, objective and complete information and evidence, and should include all options which have a significant impact or are politically important; takes the view that impact assessments should be conducted in such a way as to also take account of ex-post assessments of existing legislation in the same sector, and should give consideration to consistency between a new legislative initiative and the other policies and general objectives of the European Union;
14. Considers it regrettable that impact assessments submitted to Parliament to accompany draft proposals are still found to have shortcomings, as highlighted, for instance, by Parliament's Ex-Ante Impact Assessment Unit in its analysis of the impact assessment accompanying the proposal on making radio equipment available on the market;



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15. Believes that careful consideration of scientific advice should form part of the impact assessment process and, in particular, substantiate how or why policy choices have been made in preparatory phases, which will assist the political process; further considers that impact assessments must take into account the pace of digital innovation and evolution and the need for legislation to be technology-neutral and as future-proof as possible;

16. Points out that no clear guidance is given as to whether or not potential impacts of REFIT proposals should be quantified; highlights the need for REFIT proposals to be more targeted, with potential benefits and cost savings being quantified in each proposal;

17. Points out that the impact assessment accompanying a proposal should be supplemented by impact assessments on substantial amendments adopted by the co-legislators; emphasises that clear and transparent rules should be set out, stipulating conditions under which such additional impact assessments should be made; recalls, for example, that Parliament has carefully assessed the potential impact on SMEs of some of its amendments to the two Public Procurement Directives; urges, therefore, the Council — which has not carried out any impact assessment on its own amendments since 2007 — to become more involved;

18. Recalls that the responsibility for subsidiarity extends beyond the Commission, the Council and Parliament, and includes a role for national parliaments;

19. Notes that the ‘Smart Single Market Regulation’ study commissioned by the Internal Market and Consumer Protection Committee suggests that Parliament and the Council may have valuable insights to contribute to the Commission’s impact assessments; calls on the Commission to explore ways in which to include Parliament and the Council in the impact assessment process;

#### *The consultation process*

20. Recalls that, under Article 11(2) TEU, all the EU institutions are required to maintain an open, transparent and regular dialogue with representative associations, civil society and the social partners;

21. Considers that the consultation phase should always include a ‘digital by default’ section whereby the Commission seeks to gain a deep understanding of user needs and of what ‘digital by default’ means for the design of the service;

22. Reiterates its position that consultation processes should be open, transparent and inclusive, and should be expanded to include submissions on draft impact assessments from a broad variety of stakeholders; believes this to be equally important for secondary legislation, which is of great consequence for the implementation of single market regulation and therefore requires greater transparency and scrutiny; considers the Union Customs Code to be one area in which regular consultation of stakeholders could improve the implementation of secondary legislation;

23. Acknowledges the proposals for an expanded strategic programming phase in the ‘Better Regulation’ package, with the inclusion of inception impact assessments, for example; considers, however, that an overview of the Commission’s working process is still lacking; calls on the Commission to make roadmaps outlining policy initiatives in specific sectors more visible, and to facilitate their use;

24. Considers input from citizens and businesses into various assistance services such as Your Europe and SOLVIT to be of great importance to the legislative process, and therefore calls on the Commission to evaluate the data provided by these services and to take it into consideration when reviewing the relevant legislation;

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25. Believes that wide, proper and balanced consultation is essential as part of the legislative process; considers the publication of documents and evidence, and an invitation to all stakeholders to contribute effectively to policy development in this area, to be an important driver for innovation and the strengthening of the single market, particularly with regard to the digital single market agenda;

26. Emphasises that small businesses often do not have the time or resources to participate in regular consultations; considers that the Commission should find user-friendly and innovative ways to reach out to SMEs and start-ups;

27. Considers that a holistic approach should be taken to stakeholder consultation, which should be an ongoing process throughout the whole legislative cycle rather than an occasional exercise; reiterates, in this connection, its calls on the Commission to consider establishing a European Stakeholder Forum on better regulation and less bureaucracy;

28. Stresses that such stakeholder consultations should be as inclusive as possible, and in particular should involve SMEs, micro-businesses and civil society organisations;

29. Believes that making public consultations available in all the official languages and more accessible and intelligible will lead to a corresponding increase in participation and more transparent access to the consultation process;

*Implementation*

30. Believes that full and proper implementation of single market legislation is fundamental, and that clear, comprehensive and multi-dimensional indicators are a useful contribution if the benefits of the single market are to be fully felt; expresses concern that implementation targets are not always met; calls, in particular, for the full and correct implementation of the Services Directive; recalls the large degree of heterogeneity remaining between Member States and sectors;

31. Considers that as the Commission seeks to reduce its legislative output, this will allow a greater focus on policy initiatives, leaving more time for deeper reflection which can be used to improve the involvement of interested stakeholders;

32. Emphasises the importance of correlation tables in monitoring correct implementation; calls on the Member States to draw up and publish their own correlation tables;

33. Considers it regrettable that, despite the 0,5 % target proposed by the Commission in the Single Market Act, some Member States are still lagging behind; stresses that it is not only the formal transposition and implementation targets that are important, but also the quality of transposition, practical implementation on the ground, and the problems or challenges these may present in real life for the stakeholders concerned;

34. Considers that, for the benefits of a fully functioning single market to be realised, the Commission and parliaments should work together to learn from best practices and experience gained in the implementation of EU legislation, in order to ensure that the aims and objectives of specific legislation are not lost as a result of poor or inconsistent implementation across the Member States;

35. Believes there should be greater clarity on gold-plating and that stronger measures are needed with a view to identifying instances where it occurs, which present challenges and extra costs for people and businesses seeking to understand and apply law originating at EU level; calls on the Member States, in implementation documents, to clarify and identify what is the result of EU legislation and what of national requirements; recalls the possibility for the Member States to apply stricter standards where EU law only provides for minimum harmonisation;

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*Monitoring and problem-solving*

36. Calls on the Commission to continue its efforts and regularly to update guidance on the regulations; calls, in particular, for a rapid update, in close cooperation with Parliament, of the 2009 Guidance on the implementation/application of Directive 2005/29/EC on unfair commercial practices in order to make sure it fits the digital age; considers it regrettable that the quality of services differs vastly among the Member States as a result of a lack of both prioritisation and resources; calls, therefore, for an enforced governance framework at EU level with a view to improving the functioning of these tools and services;

37. Considers alternative dispute resolution (ADR) and online dispute resolution (ODR) to be key tools for improving the single market for goods and services; emphasises that they will allow consumers and traders to solve their disputes in a cost-effective and simple way without going to court; encourages the Commission and the Member States to raise awareness of these important tools;

38. Stresses that one-stop shops in support of dispute resolution, along the lines of SOLVIT, ECC-Net and FIN-Net, are services which improve the functioning of the internal market; calls on the Commission to deploy resources in order to publicise these tools and develop complementarities between them;

39. Applauds the SOLVIT and EU Pilot projects, which are designed to avert the need for the Commission to institute infringement proceedings against Member States; considers, however, that the services offered by EU Pilot should be improved as regards the response time once alerts have been received;

40. Considers that the Internal Market Information System (IMI) should continue to be expanded to other single market tools so that it can become a central information hub; stresses that this would be consistent with the 'once only' principle, in line with recent Commission initiatives;

41. Considers digital platforms such as the Points of Single Contact, IMI and ISA2 to be important in improving the functioning of the single market by facilitating cross-border information exchange between authorities in Member States;

42. Is concerned by the low level of awareness and understanding among Europeans of the services available, such as Your Europe, Your Europe Advice, the European Employment Service, the CPC network, the points of single contact, SOLVIT, ADR and ODR;

43. Considers that services such as Your Europe, Your Europe Advice, the European Employment Service, the CPC network, the points of single contact, SOLVIT, SOLVIT Plus, ADR and ODR are useful, low-cost alternatives to legal action; notes that only 4 % of consumers and companies are aware of such tools and that the level of take-up of these services is very low at present; calls on the Commission and the Member States, with a view to resolving this problem, to foster further awareness of such tools, while examining whether the outcomes and responses they generate are adequate for users; calls on the Commission, furthermore, to work on better cooperation between the various assistance services, such as Your Europe and SOLVIT, with the aim of increasing user satisfaction;

44. Asks the Commission to carry out in-depth reflection on the interaction between these services and to explore the possibility of replacing them with a single point of contact for consumers which would then direct the consumer to other tools as appropriate;

45. Considers that this reflection should ensure a better definition of the services concerned in order to obtain a better separation of activities and thus avoid overlapping;

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46. Calls on the Commission to develop a communication and training strategy with a view to raising awareness of assistance services among citizens and businesses of all sizes; recommends, in this context, the development of a single portal for access to all assistance services;
47. Considers that the forthcoming revision of the Consumer Protection Cooperation (CPC) Regulation should take fully into account the need to improve the information flow between the various single market tools;
48. Highlights the important role of the Commission's 'EU Sweeps' monitoring tool, especially with regard to a well-functioning digital single market;
49. Acknowledges the positive role of the 'EU Sweeps' actions, launched by the Commission to enhance enforcement through coordinated control actions in the online environment; believes that 'EU Sweeps' could also be broadened to the offline sector;
50. Notes with concern that, according to Your Europe reports, there are areas that are consistently the subject of queries from people trying to exercise their rights, such as e-commerce and the recognition of qualifications; considers that the Commission, together with national and regional bodies, should respond to this in order to foster understanding of those rights;
51. Considers a qualitative as well as a quantitative assessment of implementation — not just the bare figures as to whether or not directives have formally been transposed — to be appropriate in order to gain a full understanding of how single market legislation is actually working for consumers and for business;
52. Calls on the Commission to consider whether an 'early warning system' could be created that signals where problems exist in the implementation or application of EU law;
53. Believes that the systematic screening of consumer markets at EU level would detect emerging trends and threats to consumers and businesses in a more timely manner; highlights, in this context, the positive role played by all involved stakeholders, including consumer organisations;
54. Calls on the Commission to evaluate the performance of the Products Contact Points provided for in the 2009 Mutual Recognition Regulation and the 2011 Construction Products Regulation;

*Enforcement and market surveillance*

55. Underlines the need for closer cooperation between single market governance tools that receive consumer complaints about traders breaching EU legislation and national enforcement bodies via formal procedures and improved data sharing;
56. Calls on the Commission to assess seriously the consistency and effectiveness of implementation and — ultimately — infringement proceedings, in particular as they regard single market legislation;
57. Considers it regrettable that Parliament's access to relevant information relating to pre-infringement and infringement proceedings is limited, and calls for improved transparency in this area, with due respect for confidentiality rules;
58. Urges the Commission to launch timely and faster infringement proceedings where evidence exists to demonstrate a failure in implementation and where reasonable efforts to solve problems through tools such as mediation, in the form of ADR, ODR, EU Pilot, SOLVIT or other pre-infringement mechanisms, have failed; stresses that Member States have an equal responsibility to enforce EU law, and should ensure effective and efficient enforcement in order to uphold consumer rights and create a level playing field for businesses throughout Europe;

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59. Undertakes to fulfil its role in the enforcement of EU legislation, inter alia by reviewing the implementation of legislation and exercising scrutiny of the Commission, in particular through an engagement on the part of Parliament with annual, or at least more detailed, reporting by the Commission on work programmes relating specifically to enforcement;

60. Recalls that in its resolution of 4 February 2014 on the implementation of the Unfair Commercial Practices Directive (2005/29/EC) <sup>(1)</sup>, Parliament called on the Commission to compile and analyse data on penalties applied by Member States and on the efficiency of enforcement regimes, in particular with regard to the complexity and length of enforcement procedures; has called repeatedly on the Commission to provide Parliament with the results of these analyses;

61. Considers that market surveillance tools should be used in conjunction with single market tools to strengthen the enforcement of EU law;

62. Points out, in this connection, that national authorities do not always make correct use of the Information and Communication System on Market Surveillance (ICSMS), or fail to take the necessary measures in a timely fashion; underlines, in particular, the need to improve the passing-on of cases between public authorities;

63. Is concerned that, according to a sample analysis conducted by the Commission in 2014, 60 % of completed product investigations did not report on the country of origin, 32 % of machinery product investigations were not accompanied by a risk classification, and 5 % of entries did not make reference to the EU regulation/directive breached; asks the Council and the Member States to give serious consideration to this issue and to inform Parliament of the follow-up action taken;

#### *Ex-post evaluation and review*

64. Welcomes the regular review period and the introduction of sectoral analysis under the REFIT programme, the ultimate aim of which should be to improve the quality of EU legislation and simplify it, thus aligning it more effectively with the needs of citizens and undertakings, with particular reference to micro, small and medium-sized enterprises;

65. Considers, however, that analysis should be improved as to whether the legislative steps taken so far have contributed effectively to achieving their aim and are consistent with current policy goals; emphasises, also, the importance of transparency in the REFIT process; believes, in this context, that a rolling target for administrative and regulatory burden reduction can make a positive contribution to ensuring that aims are met in the most efficient way possible and with the least possible cost to people and businesses;

66. Notes that the cumulative cost of regulation often represents a barrier for participants in the single market, particularly SMEs; welcomes, therefore, the Commission's commitment to examining this issue; stresses that any such analysis should aim to remove barriers to market entry and to ensure fair competition for all players;

67. Calls on the Commission to improve its understanding of the factors influencing the achievement of policy objectives, such as the impact of complementary or clashing policies adopted at EU or national level, but also the impact and costs of non-action, in order to improve policymaking and, ultimately, to contribute to better single market regulation;

68. Considers that sunset or enhanced review clauses may be considered on an exceptional basis, in particular for temporary phenomena, with the institutions undertaking to keep legislation up to date and in place only where necessary; views safeguards as a necessary means of ensuring that essential legislation does not lapse;

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<sup>(1)</sup> Texts adopted, P7\_TA(2014)0063.

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### III. *Conclusion*

69. Emphasises that improving single market regulation does not mean removing all regulation or diminishing the level of ambition of regulation, for instance in terms of environmental protection, safety, security, consumer protection and social standards, but rather means removing unnecessary regulation, bureaucracy and negative impacts while achieving policy objectives and delivering a competitive regulatory environment that supports employment and enterprise within Europe;

70. Stresses that a single market that does not overburden or frustrate production, innovation and commerce is a tool that will bring back to Europe jobs and growth that would previously have been located elsewhere;

71. Stresses, therefore, that shared responsibility for improved single market regulation will lead to the realisation of shared benefits: a strong and vibrant single market contributing to the long-term growth of Europe and thereby to the prosperity of its citizens;

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72. Instructs its President to forward this resolution to the Commission, the Council, the European Council and the governments and parliaments of the Member States.

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P8\_TA(2016)0106

**Learning EU at school****European Parliament resolution of 12 April 2016 on Learning EU at school (2015/2138(INI))**

(2018/C 058/06)

*The European Parliament,*

- having regard to Article 2 of the Treaty on European Union (TEU),
- having regard to Article 165 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing ‘Erasmus+’: the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC <sup>(1)</sup>,
- having regard to Decision No 1093/2012/EU of the European Parliament and of the Council of 21 November 2012 on the European Year of Citizens (2013) <sup>(2)</sup>,
- having regard to Council Regulation (EU) No 390/2014 of 14 April 2014 establishing the ‘Europe for Citizens’ programme for the period 2014-2020 <sup>(3)</sup>,
- having regard to the Recommendation of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning <sup>(4)</sup>,
- having regard to the Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education (‘Paris Declaration’) of the informal meeting of European Union Education Ministers of 17 March 2015,
- having regard to the Council Conclusions of 12 May 2009 on a strategic framework for European cooperation in education and training (‘ET 2020’) <sup>(5)</sup>,
- having regard to the Commission Communication of 26 August 2015 entitled ‘Draft 2015 Joint Report of the Council and the Commission on the implementation of the Strategic framework for European cooperation in education and training (‘ET 2020’)’ (COM(2015)0408),
- having regard to the Commission Implementing Decision of 14 September 2015 on the adoption of the 2016 annual work programme for the implementation of ‘Erasmus+’: the Union Programme for Education, Training, Youth and Sport (C(2015)6151),
- having regard to the Council Conclusions of 28 and 29 November 2011 on a benchmark for learning mobility <sup>(6)</sup>,
- having regard to the Commission Communication of 15 September 2015 entitled ‘Draft 2015 Joint Report of the Council and the Commission on the implementation of the renewed framework for European cooperation in the youth field (2010-2018)’ (COM(2015)0429),

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<sup>(1)</sup> OJ L 347, 20.12.2013, p. 50.

<sup>(2)</sup> OJ L 325, 23.11.2012, p. 1.

<sup>(3)</sup> OJ L 115, 17.4.2014, p. 3.

<sup>(4)</sup> OJ L 394, 30.12.2006, p. 10.

<sup>(5)</sup> OJ C 119, 28.5.2009, p. 2.

<sup>(6)</sup> OJ C 372, 20.12.2011, p. 31.

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- having regard to the Commission Communication of 27 April 2009 entitled ‘An EU Strategy for Youth: Investing and Empowering — A renewed open method of coordination to address youth challenges and opportunities’ (COM(2009)0200),
  - having regard to the Council Resolution of 27 November 2009 on a renewed framework for European cooperation in the youth field (2010-2018) <sup>(1)</sup>,
  - having regard to the Council Recommendation of 20 December 2012 on the validation of non-formal and informal learning <sup>(2)</sup>,
  - having regard to its resolution of 15 May 1992 on education and training policy in the run-up to 1993 <sup>(3)</sup>,
  - having regard to its resolution of 26 September 2006 on initiatives to complement school curricula providing appropriate support measures to include the European dimension <sup>(4)</sup>,
  - having regard to its resolution of 23 September 2008 on improving the quality of teacher education <sup>(5)</sup>,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Culture and Education (A8-0021/2016),
- A. whereas education is a fundamental human right and a public good that should be equally accessible to all;
- B. whereas the main role of education is to form fully aware citizens and therefore goes beyond the fulfilment of the economic targets of EU and national strategies;
- C. whereas the objectives of education include preparing individuals for life and active citizenship in increasingly complex, demanding, multicultural and integrated societies;
- D. whereas, according to a 2014 Eurobarometer opinion poll, 44 % of European Union citizens feel that they have limited understanding of how the EU works and 52 % of Europeans believe that their voice does not count in the EU <sup>(6)</sup>;
- E. whereas only 42,61 % of EU citizens, and only 27,8 % of 18-24 year-olds, voted in the last European Parliament elections, representing the lowest voter turnout since 1979 <sup>(7)</sup>;
- F. whereas insufficient knowledge about the EU and poor understanding of its concrete added-value may contribute to the perception of a democratic deficit and lead to widespread Euroscepticism in Member States and candidate countries; whereas democratic deficits need to be addressed in order to tackle the growing gap between the voice of European citizens and the EU institutions;

<sup>(1)</sup> OJ C 311, 19.12.2009, p. 1.

<sup>(2)</sup> OJ C 398, 22.12.2012, p. 1.

<sup>(3)</sup> OJ C 150, 15.6.1992, p. 366.

<sup>(4)</sup> OJ C 306 E, 15.12.2006, p. 100.

<sup>(5)</sup> OJ C 8 E, 14.1.2010, p. 12.

<sup>(6)</sup> Standard Eurobarometer 81, Spring 2014: ‘Public opinion in the European Union’ ([http://ec.europa.eu/public\\_opinion/archives/eb/eb81/eb81\\_publ\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb81/eb81_publ_en.pdf)), p. 117 and 131.

<sup>(7)</sup> [http://www.eprs.sso.ep.parl.union.eu/lis/lisrep/13-EPRS-publications/2015/COMM\\_STUD\\_558351\\_UpdateReview-EN.pdf](http://www.eprs.sso.ep.parl.union.eu/lis/lisrep/13-EPRS-publications/2015/COMM_STUD_558351_UpdateReview-EN.pdf), p. 43-45.



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- G. whereas, according to the 2015 Special Eurobarometer 437, a vast majority of Europeans agrees that school lessons and material should include information about diversity in terms of religion or beliefs, ethnic origin, sexual orientation and gender identity <sup>(1)</sup>;
- H. whereas increased awareness about the benefits of European policies, such as free movement of people and services within the Union and EU mobility programmes, can help create a sense of belonging to the EU, community spirit and acceptance of multicultural and multinational societies;
- I. whereas successful education systems and curricula, together with increased influence and participation of Europeans in EU policy decision making processes, could create greater interest in EU affairs, and a sense of understanding and belonging, while contributing to tackling social divisions, cultural segregation and feelings of deprivation;
- J. whereas a majority of Member States have integrated learning about the EU into their curricula and teacher training programmes; whereas disparities between and within Member States continue to exist;
- K. whereas, in some Member States, while EU topics are generally taught across the different education levels and across various subjects of compulsory education, they primarily constitute a small part of the curriculum that a given teacher has to deliver;
- L. whereas the knowledge and skills of teachers and other educational staff about EU topics need to be developed further and updated through initial and ongoing training, and whereas, in this regard, educational institutions and teachers require effective assistance that is tailored and relevant to their particular needs;
- M. whereas according to 'Learning Europe at school', a study prepared by private consultancy ICF GHK for DG Education and Culture <sup>(2)</sup>, it is primarily institutions and associations outside of higher education that are involved in delivering teacher education on EU issues;
- N. whereas the Erasmus Impact Study presented by the Commission in 2014 demonstrates the positive impact mobility in education and internationalisation of studies has, not only on curricula and employability, but also in terms of knowledge of Europe, the development of a sense of European citizenship and a positive attitude towards Europe, and on voting in the European elections;

### ***A European dimension in education***

1. Underlines the increasing importance of a European dimension in education across the different disciplines, levels and forms of education, while stressing the need for a broad and in-depth understanding of the concept which takes into account its complex, dynamic and multi-layered nature, with learning about the EU at school being a crucial component;
2. Emphasises that an EU dimension in education is crucial to help citizens better understand — and reconnect them with — the EU, and can deepen the role of the values set out in Article 2 TEU and strengthen the voice of the Union in an interdependent world;
3. Emphasises the need of understanding and promoting attachment to the fundamental values of the European Union; points out that knowing and understanding the common history and values of the EU and its Member States is a key for mutual understanding, living together peacefully, tolerance and solidarity, and also for understanding the core principles of the European Union;

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<sup>(1)</sup> Special Eurobarometer 437, 2015: 'Discrimination in the EU in 2015' (<http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/ResultDoc/download/DocumentKy/68004>), p. 100.

<sup>(2)</sup> [http://www.eupika.mfdps.si/Files/Learning%20Europe%20at%20School%20final%20re port.pdf](http://www.eupika.mfdps.si/Files/Learning%20Europe%20at%20School%20final%20report.pdf).

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4. Points out that the EU should be more visible, and better integrated, in teaching materials and extracurricular activities, given its impact on the everyday life of its citizens; considers that content explicitly related to the EU can add substantial value to school curricula and to the personal development and growth of learners;
5. Emphasises the need to use active and participative teaching methods tailored to learners' age, levels, needs and interests, and to exploit fully the opportunities offered by the information and communication technologies and the media, including social media;
6. Underlines that an EU dimension in education should enable learners not only to acquire knowledge and develop a sense of belonging and European citizenship skills, but also to engage in a critical reflection on the EU, including through learning about EU fundamental values, based on the rule of law and human rights, EU governance and decision-making processes, and how these influence their Member States and their democratic participation; encourages the use of European Youth Parliament roleplay games to help children and students understand the European processes and raise their awareness of European issues;
7. Draws attention to the fact that the EU has been shaped by its Member States, with their unique histories and cultures, and that the development of the Union remains inextricably linked to its Member States; highlights, at the same time, the contribution of different cultures to the European societies and heritage;
8. Notes that the impact of the EU on the Member States is considerable, and that learning about the EU at school should reflect both the role of Member States in the development of the EU and the influence of the EU on national developments;
9. Points out that the Member States and the EU have to lead by examples to all actors involved in teaching and learning EU at school, by practising core European values of social inclusion and European and international solidarity;
10. Recalls the need to ensure, enhance and broaden initial and ongoing, professional, lifelong development opportunities for teachers and educators and to provide them with appropriate support and resources in order to enable them to incorporate an EU dimension into their teaching, in particular with regard to history and citizenship education, as well as to implement learner-centred strategies and to adapt their teaching methods to the needs of learners;
11. Stresses the need to promote and encourage multi-lingual and intercultural competences of educators, as well as mobility opportunities, peer-to-peer learning and exchanges of best practices among teaching staff, for instance through the organisation of European-level seminars;
12. Stresses the role of universities in the preparation and training of highly qualified and motivated teachers and educators; calls for encouragement and support for the actions of the Member States in their efforts to provide possibilities for specialised qualification courses within universities, open and accessible to enrolled students as well as to practicing teachers and educators;
13. Stresses the importance and the potential of a European approach to the teaching of history, while bearing in mind the competence of the Member States in this area, as some historic events were determinant in the emergence of the European ideals and values; calls on the Commission and the Member States to support history societies and centres for historical research, in order to highlight the value of their scientific contribution to European history and their role in keeping schoolteachers up to date;
14. Calls for the House of European History to develop, especially for students and teachers at all levels of education, specific programmes, instruments and activities that build up a cogent narrative of European integration and its basic values;

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15. Calls for an urgent renewal and strengthening of EU citizenship and civic education in both current and future Member States, with the aim of equipping learners, by means appropriate to their age, with relevant knowledge, values, skills and competences, empowering them to think critically and form well-informed and balanced opinions, exercise their democratic rights and responsibilities, including the right to vote, value diversity, encourage intercultural and interreligious dialogue and be active and responsible citizens;

16. Points out that increased student and parent participation in school governance can contribute towards tackling discrimination and strengthening sustainable participatory democracy and citizenship, fostering trust and cooperation between various actors; calls on educational institutions to introduce, and increase the scope of, democratic governance, also by means of giving a bigger weight to the voice of students' representations, since democracy has to be learned and experienced;

17. Stresses the need to enhance teachers' and learners' motivation and opportunities to learn more about the EU through their own first-hand experiences, such as school visits to other countries, visits to the European institutions, contacts with EU officials, traineeship opportunities for students within the EU institutions, and through media education, such as the European Youth Portal, making full use of the new information and communication technologies and open educational resources;

18. Calls to make full use of the opportunities offered by digital technologies to further develop cross-border teaching, through digital courses and video conferences, in order to facilitate the discovery for students of other points of view and approaches regarding their disciplines;

19. Underlines that the learning of foreign languages can play a crucial role in increasing intercultural awareness and providing citizens with the skills needed to live and work in an increasingly complex and globalised world;

20. Highlights the crucial role of non-formal and informal learning, including youth work, volunteering and inter-generational, family and adult learning, as well as sport as a pedagogical instrument, in developing social and civic skills, competences and behaviours, and in shaping responsible and active European citizens; underlines the need to recognise and validate such competences within formal learning and to create closer links between formal, non-formal and informal learning;

21. Calls for the adoption of an intercultural approach to education policy capable of enabling the genuine integration of immigrant students into schools based on mutual knowledge of different cultures and the construction of shared common values;

### ***The role of the Union***

22. Encourages the Commission to continue its support for efforts to develop and promote an EU dimension in education as well as the mobility of educational actors, and to actively disseminate information — including information on relevant funding opportunities and available studies and reports — to key stakeholders and citizens; encourages, in this regard, the better use of new communication technologies and media, including social media;

23. Calls on the Commission to provide a common framework, and to prepare guidelines with concrete examples, for learning about the EU in order to foster objective and critical thinking about the benefits of the European Union for its citizens, while respecting Member States' competence in the field of education and training;

24. Asks the Commission to encourage further research to ascertain how the EU is currently taught in schools across Europe, how it features in curricula and exams, and whether (a) teachers and educators have sufficient access to relevant EU programmes and actions for professional development, lifelong learning and platforms for exchange of best practices, and (b) funded actions to incorporate efficient school learning about the EU do have an impact on schools in the end;

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25. Calls on the Commission to encourage, support and facilitate networks that promote, and are involved in, learning about the EU at national, regional and local level, as well as exchanges of best practice between these networks at Union level, and to identify areas of improvement;

26. Calls on the Commission to facilitate an exchange of best practices among the Member States as well as candidate countries, with regard to the EU dimension in education and combating discrimination and prejudice in educational settings, including by evaluating teaching materials and anti-bullying and anti-discrimination policies;

27. Underlines the major role of Erasmus+, Europe for Citizens and Creative Europe in promoting education and training, language skills, active citizenship, cultural awareness, intercultural understanding and other valuable key and transversal competences; stresses the importance of these programmes in strengthening European citizenship and the need for increased and adequate financial support for these programmes, greater focus on their qualitative outcomes and wider access to mobility, paying special attention to teachers and other educators, young people with different socio-economic backgrounds as well as vulnerable and disadvantaged groups, and people with special needs;

28. Recalls the wide range of actions offered by the Erasmus+ programme, as well as its popularity and recognition by the general public, in particular as regards the mobility of students as part of their studies; calls on the Commission and the Member States to raise awareness about those parts of the Erasmus+ programme that are less well-known, such as the European Voluntary Service;

29. Welcomes the Commission's 2016 Work Programme for the implementation of the Erasmus+ programme and its commitment to concrete actions in following up the Paris Declaration, in particular those aimed at increasing the impact of Erasmus+ on fostering active and democratic citizenship, intercultural dialogue, social inclusion and solidarity, including stronger support for civil society organisations in their key role in citizenship education;

30. Calls on the Commission to enhance the pedagogical aspects, and the responsiveness to schools' needs, of projects funded via the Jean Monnet projects by making sure schools can apply directly, and by providing funding for a longer period of time, such as three years, in line with the way Jean Monnet Modules are funded; calls on the Commission to make the Jean Monnet Module action available to teacher-training institutions and to encourage such institutions to incorporate them in their programmes;

31. Notes that the Union is currently undergoing a crisis in its democratic legitimacy, not only because Europeans have insufficient knowledge about the EU mechanisms, but also because their voices are removed from decision-making processes; stresses that, in order to regain its legitimacy, the Union must halt the breakdown of its democratic structures and re-establish the link with its citizens;

32. Calls on the Commission to implement the Europe for Citizens programme in an efficient way in order to fulfil the objectives of a democratic and more inclusive society, thereby reinforcing citizen participation in decision-making processes;

33. Calls on the Commission to monitor closely the impact of all EU programmes on developing participants' sense of citizenship and civic participation;

34. Asks the Commission to develop further, and to promote as widely as possible, the eTwinning, EPAL and School Education Gateway virtual platforms, and to continue supporting and developing other digital platforms, such as Teachers' Corner, in order to facilitate access to high-quality, easy-to-use and up-to-date teaching materials that are relevant to EU-learning and available in all EU languages;

35. Asks the Commission to facilitate a critical review of the material currently available on the Teachers' Corner platform by educators currently engaged in teaching, and by academics specialised in EU studies, in order to ensure quality and appropriateness;

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36. Highlights the role that the information offices of the European institutions play, and welcomes their commitment to fostering relations with the Member States, with national, regional and local educational institutions, and with youth organisations and media, in order to bring them closer to each other and to ensure that young people understand the role the institutions play in their daily lives;

37. Calls for an open and shared debate between the Commission and cities, and local and regional authorities, regarding the connection between school systems and urban models, as a way to understanding the effects of different approaches to intercultural relations in Europe today;

38. Encourages the Commission to promote learning EU at school as a recommendation to be put forward as soon as possible in negotiation processes with candidate countries for EU membership;

### ***The role of Member States***

39. Encourages Member States to support, review and update their education systems — and all forms of EU-related curricula content at all levels of education, including vocational education and training — with a view to strengthening the EU dimension in close collaboration with all relevant actors at EU and national level, while strongly encouraging regions and local authorities to do the same, in particular when they have direct competences in educational systems;

40. Encourages the Member States to support all possibilities of conveying more information about the EU to learners as well as to teachers and other educators through formal, non-formal and informal learning, and to fully exploit and complement EU financial instruments, programmes and initiatives in this regard;

41. Asks Member States to take further action to promote intercultural, non-discriminatory and inclusive education and citizenship values in school and university curricula;

42. Calls on the Member States to increase investment in quality education, also by means of greater partnership with the private sector, and to promote equal opportunities for all, and to provide all educational and training institutions, as well as teachers and other educators, with the support necessary to empower them to introduce and continuously develop an EU dimension in education from an early age that goes beyond the class room;

43. Calls on the Member States to ensure equal and inclusive access to innovative and high-quality formal and non-formal education for all learners, as well as lifelong learning opportunities; calls, in this regard, on the Member States to adopt the 2008 proposal for a directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, which would protect against discrimination on these grounds in education;

44. Calls on the Member States to involve migrants, refugees and faith communities in respectful and empowering citizenship-building processes, ensuring their participation in civic and cultural life;

45. Calls on the Member States to encourage and facilitate high-quality training on EU topics for teachers, other educational staff, youth leaders and trainers, also by means of allowing them to spend part of their formation in another Member State, and by ensuring the recognition of their competences to teach about the EU, for example by creating and promoting a 'Euro Teacher' label award;

46. Considers that the Member States, in dialogue and cooperation with educational actors, should seek opportunities to exchange ideas and examples of good practice in integrating an EU dimension into their educational programmes, in order, inter alia, to boost young people's knowledge and understanding of the process of building EU citizenship and the EU institutions, thereby enabling them to see the Union as an integral part of their living environment that they can and are expected to shape;

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47. Urges the Member States to acknowledge and support social partners and civil society organisations, in particular youth organisations, in bridging the gap between the EU institutions and the European citizens in a structural and sustainable way, promoting and strengthening participatory and direct-democracy tools;

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

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Tuesday 12 April 2016

P8\_TA(2016)0107

**Erasmus+ and other tools to foster mobility in vocational education and training****European Parliament resolution of 12 April 2016 on Erasmus+ and other tools to foster mobility in VET — a lifelong learning approach (2015/2257(INI))**

(2018/C 058/07)

*The European Parliament,*

- having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Articles 165 and 166 thereof,
- having regard to the Charter of Fundamental Rights of the European Union, in particular Article 14 thereof,
- having regard to the Copenhagen Declaration of 30 November 2002 on enhanced cooperation in European vocational education and training,
- having regard to the Recommendation of the European Parliament and of the Council of 18 June 2009 on the establishment of a European Quality Assurance Reference Framework for Vocational Education and Training <sup>(1)</sup>,
- having regard to the Council conclusions of 12 May 2009 on a strategic framework for European cooperation in education and training ('ET 2020') <sup>(2)</sup>,
- having regard to the Council resolution of 27 November 2009 on a renewed framework for European cooperation in the youth field (2010-2018) <sup>(3)</sup>,
- having regard to Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+: the Union Programme for education, training, youth and sport' <sup>(4)</sup>,
- having regard to the Council recommendation of 20 December 2012 on the validation of non-formal and informal learning <sup>(5)</sup>,
- having regard to Decision No 2241/2004/EC of the European Parliament and of the Council on a single Community framework for the transparency of qualifications and competences (Europass) <sup>(6)</sup>,
- having regard to the Council recommendation of 28 June 2011 entitled "Youth on the Move" — promoting the learning mobility of young people' <sup>(7)</sup>,
- having regard to Recommendation 2006/962/EC of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning <sup>(8)</sup>,
- having regard to its resolution of 6 July 2010 on promoting youth access to the labour market, strengthening trainee, internship and apprenticeship status <sup>(9)</sup>,

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<sup>(1)</sup> OJ C 155, 8.7.2009, p. 1.

<sup>(2)</sup> OJ C 119, 28.5.2009, p. 2.

<sup>(3)</sup> OJ C 311, 19.12.2009, p. 1.

<sup>(4)</sup> OJ L 347, 20.12.2013, p. 50.

<sup>(5)</sup> OJ C 398, 22.12.2012, p. 1.

<sup>(6)</sup> OJ L 390, 31.12.2004, p. 6.

<sup>(7)</sup> OJ C 199, 7.7.2011, p. 1.

<sup>(8)</sup> OJ L 394, 30.12.2006, p. 10.

<sup>(9)</sup> OJ C 351 E, 2.12.2011, p. 29.

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- having regard to the recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning (EQF-LLL) <sup>(1)</sup>,
  - having regard to the different instruments for recognition of competences, such as the European Framework of Certifications (CEC), the European Credits Transfer System (ECTS), the European Credit System for Vocational Education and Training (ECVET), and the European Skills/Competences, Qualifications and Occupations project (ESCO),
  - having regard to the Commission communication of 20 November 2012 entitled ‘Rethinking Education: Investing in skills for better socio-economic outcomes’ (COM(2012)0669),
  - having regard to the report from the Commission to the European Parliament and the Council of 28 January 2014 on the implementation of the Recommendation of the European Parliament and of the Council of 18 June 2009 on the establishment of a European Quality Assurance Reference Framework for Vocational Education and Training (COM(2014)0030),
  - having regard to the Council conclusions of 20 May 2014 on quality assurance supporting education and training,
  - having regard to the Declaration of the Ministers in charge of Vocational education and training of 22 June 2015 on a new set of medium-term deliverables in the field of VET for the period 2015-2020,
  - having regard to the Paris Declaration on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education, adopted at the informal meeting of EU education ministers on 17 March 2015 in Paris (8496/15),
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Culture and Education and to the opinion of the Committee on Employment and Social Affairs (A8-0049/2016),
- A. whereas learning mobility and training mobility are important for personal development, young people’s social inclusion, multicultural dialogue, tolerance, the ability to work in an intercultural environment, and active citizenship, and have clearly proved their potential to contribute to high-quality education and employability;
- B. whereas learning mobility and training mobility should be further strengthened in the context of both current and successive EU programmes in the area of education and training, employment and cohesion policy;
- C. whereas in 2002 the EU ministers responsible for vocational education and training (VET) launched the ‘Copenhagen process’ with the aim of enhancing European cooperation in this field with the objective of improving the performance, quality and attractiveness of VET in Europe;
- D. whereas the Copenhagen process is based on mutually agreed priorities that are periodically revised, seeking amongst its goals, to facilitate mobility and promote the use of different vocational training opportunities within the lifelong learning context;
- E. whereas, according to Eurostat, unemployment in the EU remained as high as 10,2 % in 2014 despite there being a slow recovery; whereas across the EU youth unemployment currently stands at 22,1 %, while only 51 % of the 55-64 age group is in work and the gender gap in the employment rate for older workers stands at 13,6 percentage points;

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<sup>(1)</sup> OJ C 111, 6.5.2008, p. 1.



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- F. whereas non-formal and informal learning and vocational training have an important contribution to make in tackling current challenges in lifelong learning, such as early school leaving, unacceptable numbers of young people not in education, employment or training (NEETs), and skills shortages and mismatches;
- G. whereas the persistence of skills mismatches on the labour market is evidenced by the high job vacancy rate recorded in the Commission's 2015 Autumn Economic Forecast;
- H. whereas language skills are lower in VET and need specific boosting;
- I. whereas it is necessary to reaffirm the political commitment to support EU action in the areas of lifelong learning and VET, notably through mobility activities that focus on developing transversal competences such as adaptability, curiosity, learning to learn, and interpersonal and civic skills;
- J. whereas recent socio-economic developments have accentuated the need to make lifelong learning and VET systems not only more efficient, but also more accessible and inclusive with respect to disadvantaged groups and people with special needs; whereas wider access to education should not be implemented at the expense of the quality of education;
- K. whereas continuous financial support for mobility measures and activities related to lifelong learning and VET knowledge is crucial, especially in the current period of economic crisis;
- L. whereas the regional and local level is crucial for supporting initiatives exploring new paths for mobility in order to ensure the effectiveness, transparency and quality of funds and programmes devoted to VET; whereas mobility in VET of young people and apprentices promoted at regional and local level should be coordinated in a broad process of democratic and participatory governance aimed at addressing the most relevant socio-economic and environmental issues, involving micro, small and medium enterprises, start-ups, local communities and social partners;
- M. whereas entrepreneurs, chambers of commerce and industry and the equivalent professional bodies for craft trades and farmers, as well as trade unions and other relevant social partners, should be actively involved in the design, organisation, delivery and financing of VET, including mobility; whereas with regard to the design of VET, a social dimension should be addressed to include areas such as fair trade, social entrepreneurship, and alternative business models such as cooperatives, and should be organised with relevant partners in those fields;
- N. whereas while youth mobility must be encouraged so as to enhance employability, it must not become the only envisaged solution for youth unemployment;

### ***Taking stock of results and identifying key challenges***

1. Believes that education is a fundamental human right and a public good that should be equally accessible to all; calls on the EU and the Member States to address all socio-economic limitations that prevent equal access for all to VET opportunities, including mobility; acknowledges that the role and results of existing programmes and initiatives for mobility in VET should be enhanced in terms of accessibility, openness and inclusiveness, in order to promote a personalised approach to education, reduce school dropout rates, and guarantee equal access to Erasmus+ mobility actions for disadvantaged groups and those with special needs; stresses, therefore, the need for flexible, diversified and customised range of mobility options for training, also maintaining a gender perspective, for people from immigrant backgrounds or economically disadvantaged families, learners from remote regions, people with disabilities and those with other specific needs;

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2. Affirms the need, when dealing with the issue of mobility and education, to maintain a gender perspective and to take into account the needs of people suffering from multiple forms of discrimination, including people with disabilities, people identifying as LGBTI and those from marginalised communities; encourages, in this perspective, further measures to facilitate access for people from disadvantaged groups or with special needs to Erasmus+ mobility actions;
3. Calls on the Commission, the Member States and key stakeholders to increase the visibility of VET programmes in order to remove cultural barriers and combat the phenomena of lack of motivation, lack of proactive predisposition and lack of language skills, particularly in those areas most affected by youth unemployment; believes that it must be ensured that these programmes are accessible to all citizens without discrimination; calls for the targeting of groups at risk of unemployment, such as people with disabilities; calls for access to VET and qualifications to be made easier by promoting adaptability in apprenticeship pathways and adjustability of arrangements, as well as training opportunities for groups with insufficient basic skills and employees with low or intermediate-level qualifications; recalls that the gender balance in access to such experiences has to be taken into account, in the context of the efficient promotion of VET mobility programmes among women; considers, in this regard, that ambitious targets should be set and progress monitored;
4. Highlights the gender gap in Science, Technology, Engineering and Mathematics (STEM) education, skills and employment across the EU, and calls on the Commission and the Member States to fully commit to Erasmus+ and to use this mechanism as a key opportunity for developing STEM education in order to enhance women's ability to embark on a career in the STEM field and thus reduce the existing skills gap in this area;
5. Highlights the importance of a common European education area grounded in a strong mobility component — including not only higher education but also VET — that will contribute to the creation and development of a stronger European identity and enhanced citizenship;
6. Calls on the Commission and the Member States to make every effort with a view to attaining the objectives of the European Strategy for Education and Training 2020; believes that mobility must take account of the continuous vocational education and training (CVET) aspect, as it is key to the improvement and updating of skills and expertise; stresses that lifelong learning and VET are key to achieving better employment prospects for the long-term unemployed;
7. Believes that the above cooperation should result in a review of requirements with the aim of ensuring their relevance as regards duration, content, competences and learning outcomes, while combining mobility for both training centres and the workplace and also giving priority to longer-term experience periods (e.g. for six months) over their shorter-term equivalents;
8. Notes that the European resources allocated to Erasmus+ and VET programmes are not proportional to the numbers or needs of the potential beneficiaries of the mobility offered by these schemes, and accordingly calls on the Member States to promote bilateral agreements to supplement the activities of Erasmus+ and the European VET programmes, thus increasing the mobility of young Europeans;
9. Acknowledges the important role and results of existing programmes and initiatives for mobility, such as Key Action 1 in Erasmus+, Europass, the European Credit System for Vocational Education and Training (ECVET), and the European Qualifications Framework (EQF); calls on the Commission to create a 'European student e-card' which would grant the status of EU student in a mobility context and offer access to services;
10. Calls on the Commission and the Member States, as well as on EU agencies such as CEDEFOP, to take action to improve the VET mobility programmes so that they deliver added value for all participants as regards qualifications, recognition and content, and to ensure that quality standards are introduced for apprenticeships;

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11. Points out that the mobility initiatives contribute to improving not only learners' civic values and sense of belonging to Europe, but also their academic skills and job prospects, and more specifically those skills linked to problem-solving capacity, planning and structuring, capacity to act and adapt in the face of new situations, entrepreneurship, leadership and decision-making, social responsibility skills, knowledge of foreign languages, communication skills and teamwork skills, as well as those personal skills that impact on employability such as confidence, motivation, curiosity, critical and creative thinking, initiative and assertiveness;

12. Insists on the need to facilitate the implementation of mobility in Erasmus+, by taking action to raise the success rate of applications, simplifying the design and use of electronic tools for mobility management, raising awareness of the value of mobility programmes in all general and vocational education establishments in the Union, and providing better-targeted information and training to beneficiaries and intermediaries of the programmes and actions, including school and college staff; stresses the importance, in this regard, of the contribution made by EuropeanSchoolNet; asks the Commission to reduce the present excessive and over-complex administrative burdens, both for applicants and for the sending and hosting companies and institutions involved in Erasmus+ projects, facilitating and simplifying the processes for application, registration and reporting, and the projects themselves; points out in addition that excessive red tape in the schools and colleges concerned acts as a barrier to the simple implementation of the programme;

13. Asks the Commission to put in place schemes aimed at reducing linguistic and cultural barriers to the organisation of mobility programmes; considers that such schemes should be able to assess implementation progress; stresses that action schemes should, in particular, support the learning of basic elements of the language of the host country; encourages Member States and regional and local authorities to examine the specific learning needs of VET teachers and trainers, encouraging and supporting the exchange of best practices, and to provide them with more professional development opportunities; highlights the importance of designing a basic training model that can provide information on the key features of the business and working culture of the destination country, as well as promoting and providing specific programmes for the training of teaching staff in the context of mobility management by the training centres;

14. Points out that occupations linked to VET have the necessary flexibility to be carried out anywhere, and that, therefore, mobility in the VET context is a key tool in the fight against unemployment, as it enhances employability, helps reduce the skills gap and facilitates job matching, especially for young people, providing skills and a unique experience of the kind needed for competitiveness in today's labour markets in the EU; considers that Erasmus+ helps develop specific professional skills and transversal and transferable competences such as entrepreneurship, as well as broadening opportunities for the involvement of the production sector, thus constituting an effective tool for the job market;

15. Stresses the significance and importance of recognisability concerning brand names and logos connected with Erasmus+ and its subprogrammes; considers that these brand names should be used in particular for the purpose of Erasmus+ publications and brochures;

16. Expresses concern that Erasmus+ is viewed by young people primarily as a programme for students in higher education; recommends, therefore, that greater importance be attached to raising the profile at European, national and regional level of the different areas and the subprogrammes relating to each area, including school-level education (Comenius), higher education (Erasmus), international higher education (Erasmus Mundus), vocational education and training (Leonardo da Vinci), and adult education (Grundtvig), as well as youth (Youth in Action) and sport;

17. Calls on the Commission, the Member States and public employment bodies to publicise and raise awareness of the Erasmus+ programme and other tools aimed at promoting mobility in the area of VET, in particular among SMEs; believes that maximising the effectiveness of these tools will allow more people to benefit from these opportunities, so that the goal of mobility may be achieved;

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18. Stresses the urgent need for industry and services in both private and public sectors, including the production sector (notably SMEs and micro-enterprises), to be consulted and/or involved in the design, framing, implementation and support of quality VET mobility programmes; considers that the programme selection should take account of job opportunities with host businesses and organisations; believes that a flexible and constructive partnership based on dialogue, cooperation and best practice involving all stakeholders will ensure the success and the added value of VET; takes the view that the exchange of knowledge and best practices between training centres and firms is also needed; calls on the Commission to keep track of demand and supply on the labour market within the EU, as well as of geographic and occupational mobility, in order to match the needs of the labour market; considers that this would reduce the gap between, on the one hand, the training on offer and what actually awaits young people in the business environment, and, on the other, market needs in added value sectors (e.g. the digital and green economies, energy, defence, the care sector and housing rehabilitation);

19. Underlines the key aspects that need to be taken into account when planning mobility actions and assessing their implementation, namely: learners' economic capacity to engage in mobility; recognition of studies, competences and qualifications, and training content between countries, whether via credits or certificates; level of language knowledge; organisation of curricula or studies; the practical value of students' credits and examinations once they have returned to their university of origin; legal aspects; information or motivation to complete studies; guidance and counselling activities throughout the mobility period; and students' personal situation; calls, therefore, on the Commission to improve indicators and assessment criteria so as to enable the monitoring on a more regular basis of the effectiveness of EU programmes and make it possible to carry out any necessary improvements;

20. Points out that, at present, only 1 % of young people in work-related training schemes, including apprentices, are involved in mobility schemes during their training; points to the vital need to create the conditions for greater apprentice mobility within the EU, so as to give apprentices the same opportunities as higher education students; encourages, therefore, the definition by the EU of a statute of the 'European Apprentice'; calls on the EU and the Member States to ensure that both apprenticeships and traineeships remain formative opportunities that are not used as a source of precarious labour, do not substitute full-time professional positions, and guarantee dignified working conditions and students' rights, including financial and remuneration-related rights; encourages the Commission, in addition, to analyse the implications of the above-mentioned statute, monitor the implementation of related measures, to prompt all related stakeholders, including those of the European Alliance for Apprenticeships, to follow its recommendations with a view to improving the conditions, quality and availability of apprenticeships in the EU, and to consider this issue as a strategic priority;

21. Calls on the Commission to present, and on the Member States to endorse, a proposal for an EU apprenticeship scheme that would guarantee a set of rights for apprentices and VET learners; highlights the positive role that 'seniors' can play in the education and training of youth with a view to maximising intergenerational exchange through traineeships and mentoring, as well as facilitating experience-based learning in cross-generational teams; encourages the Commission and the Member States to adopt concrete measures to ensure that apprenticeships and traineeships under Erasmus+ are not misused by being turned into an instrument for lowering the cost of labour;

22. Values positively the launch of pilot projects, as well as the recently approved 'European framework for mobility of apprentices', as a basis for improvements to the Erasmus+ programme aimed at enabling more and better VET mobility of long-term duration; urges the creation of a framework for long-term initiatives as opposed to solely project-focused actions, in order to establish a permanent and sustainable system that is fully operational, is predictable, and encourages the free movement of skills across Europe;

23. Notes that early school leaving is one of the most distinct problems faced by mobility target groups, and that better vocational options lead to fewer dropouts from education and training; stresses, therefore, how important the results of educational systems may be in reducing early school leaving and in better equipping students with transversal skills which will eventually help them match their qualifications with the demands of the labour market;

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24. Stresses the need to help young people in vocational training overcome their difficulties by means of certain complementary and accompanying measures, such as reinforcing the group nature of the mobility schemes, better mentoring and accompaniment by the home and host institutions before and during their mobility, improving access to high-quality information on VET opportunities, offering specialised guidance and counselling activities and tools, and financing linguistic support for all participants without language restrictions;

25. Points out that a number of factors that impact the expectations of young people being trained in VET systems can be identified, in particular socio-economic factors, family typology and a lack of guidance (and tutorial) tools once compulsory secondary education has been completed or during vocational training courses;

26. Emphasises the key role of learning and training mobility in tackling social and cultural challenges, with a view to maximising young people's opportunities to develop their own scheme of action in society; recalls that the EU has focused its efforts, notably through the Europe 2020 strategy, on increasing the competitiveness of its economy, generating employment and, ultimately, strengthening its capacity to compete globally in the third decade of the century; emphasises, in this context, the important role of research, innovation, the digital society and energy sustainability, as instruments to provide higher added value;

27. Stresses the role of the EU and the Member States in developing and encouraging a high-quality and well-organised VET system by implementing a holistic approach that balances theoretical education focused on the profession concerned, practical training and general, formal, informal and non-formal education; calls on the Member States to introduce a 'dual education' approach into their upper secondary school systems, or to strengthen existing systems through traineeships and work placements, thus facilitating VET students' sustainable integration into the labour market and increasing their participation in transnational mobility programmes; recalls that in general, improving the quality of VET in cooperation with social partners and public employment services, is a means to address social inclusion, increase participation in higher education, promote student success and ease integration into the labour market, which should facilitate mobility in the lifelong learning process;

28. Calls for the issues surrounding the European Voluntary Service (EVS), with regard to insurance for participants, approval, database management and support for volunteers, to be addressed in a targeted manner, so as to prevent a decrease in participation;

29. Deplores the fact that non-formal learning has lost visibility and budget share in the current Erasmus+ programme; highlights the importance of non-formal learning at European level, especially through youth work and senior volunteering; calls for non-formal and informal learning to be given a clear and visible place in the Erasmus+ programme; believes, in addition, that the possibility should exist of submitting applications in respect of large-scale adult education projects that would be governed by the same principles as sector skill alliances or knowledge alliances;

30. Supports the development of modern technologies and infrastructures in strengthening and modernising national vocational education systems so as to improve access to and quality of mobility; considers that, in order to tackle skills mismatches, greater emphasis should be placed on innovation and the development of new academic and professional skills, digital learning and teaching platforms, life technologies, innovative technologies for the enhancement of cultural heritage, and information and communication technologies; strongly believes that the EU and the Member States should deliver an effective strategy aimed at matching current and future circular economy job opportunities with VET systems;

31. Notes that in the transition to a more digitised economy a redefinition of jobs and skills is taking place; calls, in consequence, on the Member States and the Commission to work in conjunction with the private sector in order to develop skilling strategies and VET programmes for the reskilling of workers;

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***Access: improving mobility options for young people in vocational training***

32. Encourages the creation of a framework along the lines of the previous Leonardo da Vinci programme, to be referred to in the dedicated Erasmus+ calls, that identifies as clearly and precisely as possible the mobility options for young people in VET, especially through cross-platform campaigns launched by public authorities, with the coordinated participation of all stakeholders who play an active role in or have an influence on VET;

33. Encourages the Commission and the Member States to provide sufficient financial resources to support mobility programmes, taking into account potential financial barriers; advocates examining the issue of broadened visibility concerning how companies complement the allocated allowance or the possibility of providing other types of aid; considers that complementarity between the European Social Fund (ESF) and Erasmus+ should be ensured and monitored with a view to successful outcomes;

34. Calls for improved synergies between EU policies and instruments impacting on mobility and education, and in particular for complementary measures between the ESF and Erasmus+, as well as for greater coordination of all actions at all levels (national, regional and local planning);

35. Reiterates the need for measures to ensure coordination, complementarity and consistency between Structural Funds including the ESF and programmes such as Erasmus+ at national, regional and local level;

36. Underlines the need to compensate for the obstacles that derive from the lower socio-economic status of VET students, through measures such as a possible increase in the amounts of individual grants from the Commission, or an increase in the contributions made by Member States and regional and local administrations, intermediate institutions or NGOs, whether funded from their own budgets or via partnership schemes involving businesses, foundations and organisations collaborating in the system of qualification and vocational training in their region or territory;

***From mobility to employability: validation and recognition of learning outcomes, skills and competences***

37. Underlines that acquiring new, diverse and creative ideas abroad may motivate and boost entrepreneurship and creativity; stresses that the opportunities offered by learning and training mobility, such as building international networks, may also have positive effects on employability, transnational cooperation and Europe's competitiveness;

38. Considers that current and future measures to tackle skills mismatches should both facilitate the involvement of employers, businesses and local communities, and be better connected with forecasts concerning labour market developments and future skill needs;

39. Highlights that there is a positive association between learning mobility and future mobility and earnings, since EU and international mobility programmes enhance participants' employability abroad, as the Commission's Joint Research Centre found in 2013; stresses that apprenticeships and traineeships abroad improve participants' language skills (as occurs in 79 % of cases, according to Eurobarometer in 2013) <sup>(1)</sup>;

40. Underlines the importance of mobility retraining programmes, for unemployed people of all ages and for people threatened by restructuring measures;

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<sup>(1)</sup> [http://ec.europa.eu/public\\_opinion/flash/fl\\_378\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_378_en.pdf)

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41. Draws attention to the diversity and uneven development of validation and recognition systems between Member States, despite growing convergence in the last decade; stresses the need to improve compatibility between different vocational education and training systems and facilitate the validation and recognition of skills and competences acquired in companies or training centres in different Member States, as also to increase the attractiveness of the Erasmus+ programme; calls on Member States to improve the implementation of the EQF <sup>(1)</sup> and remove barriers; encourages the definition of a European standard that is acceptable and implementable at all levels (national, regional and local);

42. Encourages further measures to promote the recognition and validation of learning outcomes, including those developed through non-formal and informal learning, particularly through better use of existing tools such as Europass and ECVET;

43. Recalls that important improvements have been made thanks to the EQF, as regards the recognition of diplomas, credits, skills certificates, competency accreditations and acquired expertise in the context of VET; calls for the establishment of specific targets, among them the implementation of a fully operational system of credit transfers and recognition, to be based on ECVET; encourages the development of joint VET qualifications that can ensure the international recognition of qualifications;

44. Advocates drawing up a Green Paper on vocational education, training and mobility and the recognition of skills and competences in Europe, to be drafted in close cooperation with all key stakeholders; recalls that the current recommendations concerning VET need to be fully implemented; points out that the non-recognition of competences has a negative impact on the Europe 2020 employment rates target, and hinders free movement as enshrined in the Treaties;

45. Favours greater mobility in employment, education, apprenticeships and traineeships in the context of national European Youth Guarantee Schemes, in order to improve the skills of young people and reduce the geographical skills mismatch in the EU;

46. Stresses the importance of the Youth Guarantee and the Youth Employment Initiative in supporting apprenticeships, traineeships, VET, job placements and further education leading to a qualification; calls on the Commission and the Member States to ensure that adequate funding is allocated to these programmes for the whole programming period 2014-2020;

47. Urges the translation into all official languages of the Union of the EU Skills Panorama website, in order to make it a source of information accessible for all on skills needed throughout Europe;

48. Notes the progress that have been achieved towards ensuring higher VET quality in numerous Member States, supported by the European Quality Assurance in Vocational Education and Training (EQAVET) framework; and encourages those Member States that are currently in the process of developing a national quality assurance approach in line with EQAVET; stresses that Member States should make more effort to ensure that quality assurance arrangements take greater account of learning outcomes and that they value and support non-formal learning and work-based learning in either formal or non-formal settings, as appropriate to the national context;

49. Underlines that apprenticeship programs should be conducted under the guidance of a competent supervisor;

#### ***Towards more efficient, accessible and inclusive mobility programmes***

50. Calls on the Commission and the Member States, also in collaboration with CEDEFOP, to define and strengthen the role of the intermediary institutions, both territorial and sectoral, involved in the preparation, management and follow-up of mobility, while demanding that they practise the highest standards of transparency, and to assist in the setting-up of such institutions at national, regional and local level;

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<sup>(1)</sup> See: Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning.

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51. Stresses the need for such intermediary institutions to have adequate budgetary and human resources to enable mobility organisation and management structures to guarantee the involvement of the network of vocational training schools, and to have the power and capacity to establish operational alliances and agreements with potential partners, both at home and in the Member States participating in mobility programmes;

52. Stresses the need for legal protection of minors abroad;

53. Emphasises that mobility actions and/or services adapted to the needs of trainers, tutors and entrepreneurs should be encouraged and highlighted within ERASMUS+;

54. Points out that coherent, complementary and well-coordinated co-funding schemes at European, national, regional and local level are necessary in order to enable training centres to cover the total range of costs and plan and implement permanent actions;

55. Welcomes the fact that Erasmus+ has significantly expanded the number of beneficiaries of VET programmes among those young persons who do not go to university or college;

56. Supports all necessary accompanying measures, first of all to assist and encourage apprentices wishing to take part in mobility programmes, and later to help them better communicate their acquired skills through mobility and develop their self-assertiveness in order to make their know-how and the richness of their experience visible and worthwhile;

57. Considers that the learning outcomes of apprenticeship should be designed and discussed with the apprentice in line with ECVET principles before the apprentice embarks on training, and that the outcomes should be listed in the Certificate Supplement after completion of the training;

58. Emphasises the importance of quality teacher training and of monitoring, evaluation and quality assurance in this field, as well as the need to encourage inclusiveness and tolerance in mobility programmes;

59. Emphasises the need for quality placements that can enable students to acquire desirable professional skills, in addition to highlighting the need, at all levels, for good communication vis-à-vis entrepreneurs in order to bring them on board with a view to further recognition of the experience acquired by young people taking advantage of mobility schemes;

60. Supports all measures in line with the Erasmus+ objectives taken by entrepreneurs, NGOs or civil society to develop mobility schemes for young employees or apprentices, either by branch of activity or in interaction with bodies representing the industries, such as chambers of commerce and industry, in addition to European networks such as Eurochambres and the relevant trade unions; calls for the recognition of the role of Skilled Craft Chambers and their training centres in supporting mobility and very small companies; believes that all measures taken to improve VET schemes should also focus on domains promoting zero carbon energy and sustainable mobility;

61. Recommends that all key stakeholders work on joint strategies aimed at enhancing either the return home of vocational education trainees and apprentices or their mobility to other parts of Europe, while respecting their preferences, the aim being to channel the knowledge and experience acquired 'abroad' for the reduction of imbalances and enhancement of cohesion in their own 'skill-deprived' areas of origin or elsewhere in Europe;

62. Calls on the Commission and the Member States to establish and effectively implement a European network of workshops and incubators, as being crucial for encouraging knowledge alliances among schools, universities and businesses and promoting access to training, experience, refresher courses for teachers and lecturers, apprenticeships and start-ups;



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63. Calls on the Commission and the Member States to support and strengthen the European Network of Science Centres (ECSITE), which brings together science centres as places providing access to scientific culture;
64. Calls for the setting-up of a one-stop-shop mechanism for pooling data and communication tools in order to provide a convenient and efficient service for those seeking information and support regarding the various mobility programmes existing at EU, national, regional and local level;
65. Calls on the Commission to provide up-to-date statistics and to carry out assessments and/or studies regarding Erasmus+ and other VET mobility programmes, where feasible, in order to measure their impact in matching work experience with jobs with regard to the hiring rate, and also to examine why some Member States are generating more applications for VET work and learning experiences abroad and draw up a plan for their greater involvement; believes that the resulting statistics and assessments should be included and taken into account in the mid-term review of Erasmus+;
66. Welcomes the conclusions agreed by the ministers responsible for vocational education and training in Riga on 22 June 2015, proposing a new set of medium-term deliverables in the field of VET for the period 2015-2020, and calls for their timely and thorough implementation;
67. Stresses the importance of promoting the gains derived from mobility in terms of employability and acquired skills, in order to demonstrate its genuine utility and to reduce the perception that time is wasted on training which a priori depends on purely national competences;
68. Encourages improving the promotion and visibility for young people and enterprises of such platforms as Drop'pin@EURES, the aim of which is to facilitate the mobility of young people in terms of apprenticeships, internships, training programs, and e-learning language courses;
69. Encourages Member States to promote the full range of opportunities offered by the new Erasmus+ programme, which provides young people not only with opportunities to study abroad, but also with opportunities for apprenticeships and work placements;
70. Encourages the introduction of a minimum level of allowances, adjusted in accordance with variations in living conditions, prices and costs between Member States; supports the notion that Member States should introduce measures to enable necessary and beneficial support where relevant, e.g. for accommodation and transport, paying special attention to the needs of minors, as well as preparing students before their international experience, for example through career guidance, language teaching and cross-cultural communication;
71. Calls for a review/revision of the multiannual financial framework (MFF), to be based on criteria including the prior assessment of the effectiveness of measures to combat unemployment, with funding for the less effective provisions being cut; considers that such an approach is particularly important in times of crisis, such as the present moment, which are marked by unacceptable imbalances;

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72. Instructs its President to forward this resolution to the Council, the Commission and the Member States.
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P8\_TA(2016)0108

## **The EU role in the framework of international financial, monetary and regulatory institutions and bodies**

**European Parliament resolution of 12 April 2016 on the EU role in the framework of international financial, monetary and regulatory institutions and bodies (2015/2060(INI))**

(2018/C 058/08)

*The European Parliament,*

- having regard to the principle of sincere cooperation between the Union and the Member States, referred to in Article 4 (3) of the Treaty on European Union (TEU),
  - having regard to Articles 121 and 138 of the Treaty on the Functioning of the European Union (TFEU),
  - having regard to Protocol 14 to the TFEU on the Euro Group,
  - having regard to its resolution of 20 October 2010 with recommendations to the Commission on improving the economic governance and stability framework of the Union, especially in the euro area <sup>(1)</sup>,
  - having regard to its resolution of 11 May 2011 on ‘The EU as a global actor: its role in multilateral organisations’ <sup>(2)</sup>,
  - having regard to its resolution of 25 October 2011 on global economic governance <sup>(3)</sup>,
  - having regard to its resolution of 24 June 2015 on ‘The review of the economic governance framework: stocktaking and challenges’ <sup>(4)</sup>,
  - having regard to its resolution of 9 July 2015 on ‘Building a Capital Markets Union’ <sup>(5)</sup>,
  - having regard to the report of 25 February 2009 by the High-Level Group on Financial Supervision in the EU (the de Larosière report),
  - having regard to the Five Presidents’ report of June 2015 calling for the consolidation of the external representation of the euro,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Constitutional Affairs (A8-0027/2016),
- A. whereas the stability of the financial system, which is essential for the effective allocation of resources for growth and jobs, is a global public good;
- B. whereas the growing interdependence among economies across the world makes it necessary to move towards increasingly global forms of governance;

<sup>(1)</sup> OJ C 70 E, 8.3.2012, p. 41.

<sup>(2)</sup> OJ C 377 E, 7.12.2012, p. 66.

<sup>(3)</sup> OJ C 131 E, 8.5.2013, p. 51.

<sup>(4)</sup> Texts adopted, P8\_TA(2015)0238.

<sup>(5)</sup> Texts adopted, P8\_TA(2015)0268.

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- C. whereas if the EU is not able to speak with one voice in international institutions/bodies, all European voices should be coordinated to shape global governance towards the objectives and values of the EU treaties;
- D. whereas the EU should contribute to the creation of a democratic framework in order to cope with global challenges;
- E. whereas global cooperation can lead to a dilution of responsibilities and lack of accountability at the expense of democracy; whereas national parliaments and the European Parliament should not be reduced to a role of mere rubberstamping but must be incorporated, actively and comprehensively, into the whole decision-making process;
- F. whereas the existing international institutions/bodies with their own distinct governance structures and remits of action have been created across history as a response to each specific situation; whereas this has led to complexity, and sometimes duplication of tasks, and to a system which may be opaque and lack overall coordination;
- G. whereas Article 42 of the Charter of Fundamental Rights and Regulation (EC) No 1049/2001<sup>(1)</sup>, under which Union citizens have the right of access to documents, should apply to institutions and agencies of the Union participating in international organisations/bodies;
- H. whereas the Treaties provide that any citizen of the Union and any natural or legal person residing or incorporated in a Member State has a right of access to documents of the institutions, bodies, offices and agencies of the Union, whatever their medium (Article 42 of the Charter of Fundamental Rights); whereas the same degree of transparency should apply to institutions and agencies of the Union participating in international organisations and fora, especially when setting rules affecting EU citizens;
- I. whereas the diversity of the legal structures and financial and operating procedures of international economic organisations/bodies<sup>(2)</sup> makes it difficult to undertake an overall monitoring, although consistency in financial and operating procedures is fundamental in ensuring an international level playing field; whereas the International Monetary Fund (IMF) and the Organisation for Economic Cooperation and Development (OECD) are genuine international organisations, set up through conventions, with broad remits and composition, while the G20, the Financial Stability Board (FSB) and the Basel Committee, for example, are among the informal public bodies with limited membership, some of which have enjoyed a new impetus following the crisis, and the International Organisation of Securities Commissions (IOSCO), the International Association of Insurance Supervisors (IAIS), the International Organisation of Pension Supervisors (IOPs) and the International Accounting Standards Board (IASB) are private specialist associations of a sectoral nature with a greater or lesser degree of involvement on the part of the sectors concerned;
- J. whereas a number of informal exchanges are already taking place, albeit not on a systematic basis, between the European Parliament and certain of these organisations/bodies;
- K. whereas transparency is important for democracy, while the protection of market-sensitive information has to be properly taken into account;

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<sup>(1)</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>(2)</sup> The Bank for International Settlements, the Financial Action Task Force (FATF) and the World Trade Organization (WTO) also have a rule-making function; the United Nations Conference on Trade and Development (UNCTAD) plays a significant role in global economic governance; the African Development Bank (ADB), the Asian Development Bank (ADB), the Caribbean Development Bank (CDB), the West African Development Bank (WADB), the Inter-American Development Bank (IDB), the Inter-American Investment Corporation (IIC), the European Bank for Reconstruction and Development (EBRD), the Council of Europe Development Bank (CEB), the World Bank Group, the International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA) support the financing of development cooperation.

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- L. whereas the crisis has prompted the G20 to establish a global agenda focusing on an effective set of specific reforms, while in the longer term a genuine multilateral and democratic framework is essential for its legitimacy;
- M. whereas the respective roles of banks and markets in financing the economy vary from one country to another;
- N. whereas the economic and financial crisis which began in 2008 has highlighted a striking lack of economic and financial governance in the world; whereas numerous macroeconomic matters require greater coordination, particularly in relation to tax matters; whereas, therefore, the common goal of all stakeholders should be to design a comprehensive framework providing financial stability and to ensure consistency between the global and local levels;
- O. whereas the creation of new EU supervisory bodies should not automatically imply an increase in the number of EU representatives, which may have undemocratic effects, such as a greater likelihood of blocking minorities and unease among the EU's partners;
- P. whereas the IMF has decided to include the Renminbi in the basket of currencies which make up the IMF's Special Drawing Right; whereas this has resulted in a reduction of the weight of both the euro and the pound, but no change in the weight of the US dollar; whereas this stresses the need for a stronger European voice;
1. Stresses the need for enhanced international regulatory cooperation, with strong EP involvement;
  2. Expresses concern at the lack of coherence caused by the fragmentation and diversity of the various organisations/bodies and at the implementation delays regarding rules and orientations agreed at international level;
  3. Calls for clarification as to the remit of each organisation/body and the ways in which they operate and are financed, including voluntary contributions, gifts and donations, in order to ensure absence of vested interests and legality of decisions;
  4. Calls for better policy coherence and coordination among the global institutions through the introduction of comprehensive standards of democratic legitimacy, transparency, accountability and integrity; considers that this should, *inter alia*, concern:
    - relations with the public (for example public access to documents, open dialogue with diverse stakeholders, the establishment of mandatory transparency registers and rules on transparency of lobby meeting);
    - internal rules (for example human resources based on skills, sound financial management, prevention of conflict of interests);
  5. Considers that the under-representation of least developed countries in most international financial, monetary and regulatory institutions and bodies is creating an imbalance and that as a consequence issues relating to inequalities or financing for the poorest countries face the risk of not being properly addressed;
  6. Considers that, as well as geographical disparity in representation, there are also certain sectors — notably civil society, SMEs, consumer representatives and employee representatives — whose involvement in the consultation process could be improved in international discussions regarding financial, monetary and regulatory bodies; considers it the duty of those bodies and sectors to work on improving the situation;

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7. Takes the view that the EU should streamline and codify its representation in multilateral organisations/bodies with a view to increasing the transparency, integrity and accountability of the Union's involvement in these bodies, its influence and the promotion of the legislation it has adopted through a democratic process; additionally, considers that the EU should become a more proactive global actor in ensuring the future G20 commitments, such as transforming shadow banking, implementing over-the-counter (OTC) derivatives reforms, addressing systemic risks and ensuring that emerging risks to the global economy are taken up on the agenda of the relevant global institution;
8. Calls on the European actors to include a stronger focus on the global competitiveness of the EU's financial sectors when making policy at European and international level;
9. Recalls that the EU should seek full membership of international economic and financial institutions where this has not yet been granted and is appropriate (e.g. in the cases of the OECD and the IMF); calls for the relevant international economic and financial institutions to make all the necessary statutory changes to allow the EU's full participation;
10. Regards as detrimental to the Union situations in which representatives of a Member State or national authority assume positions in international organisations/bodies that are contrary to European legislative or regulatory decisions democratically adopted by majority vote; calls accordingly for the coordination between these representatives to be enhanced and made more effective, for instance through more binding mechanisms;
11. Stresses the need for the Commission, representing the whole Union in an international body or organisation or monitoring a private specialist body, to be held more directly accountable to citizens; stresses the importance of the role of Parliament in this process;
12. Considers that the priorities of organisations and related working groups should be clarified and formally set out; takes the view that systematic recourse to consensus risks not only slowing down deliberations but also diluting the substance of the recommendations, and that the composition of the organisations must reflect their diversity, in financial, economic and supervisory terms;
13. Stresses the need to carry out ex ante evaluations when developing regulatory, supervisory and other financial sector policies at global level; considers that such evaluations are without prejudice to the political prerogatives of the co-legislators;
14. Takes the view that the implementation of recommendations on the part of the various countries involved is still insufficient to contribute to the creation of a global level playing field;
15. Notes that the FSB is now engaging in developing standards in the insurance sector; recognises that the IAIS is playing an important role in global insurance policy, but stresses that involving the European Insurance and Occupational Pensions Authority (EIOPA) would bring the benefit of strengthening the contribution of European insurance-specific expertise and would ensure that the standards developed at global level do not go against the logic the EU has been the first to develop;
16. Welcomes the work done by the OECD on tax issues, especially the OECD/G20 Base Erosion and Profit Shifting (BEPS) project; considers that monitoring implementation is the new challenge ahead; stresses that the coordination between the Commission and the Member States which are members of the Financial Action Task Force (FATF) should be improved in order for the EU to make its voice heard;
17. Views favourably the willingness of the ECB President to further cooperate with Parliament regarding the ECB's role in banking matters, in particular in the framework of global standards-setting bodies such as the FSB;
18. Welcomes the organisational arrangements agreed by the euro area countries which are members of the Asian Infrastructure Investment Bank, taking the form of a single seat on the Board of Governors representing those euro area members;

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19. Accordingly makes the following proposals:

- Calls on the Commission to draw on existing best practices at European and national levels in order to draft a European code of conduct on transparency, integrity and accountability, designed to guide the actions of EU representatives in international organisations/bodies; calls for Parliament to be closely associated in the drafting process;
- Stresses in particular its concerns regarding the statute, financing and operation of those organisations/bodies, their interaction with authorities, stakeholders and the public, their communication and access to their documents; stresses the need to ensure a fair balance of interests, including NGOs with adequate technical expertise and financial means, in order to strengthen the voice of civil society;
- Calls on the European institutions and agencies, as well as the Member States, to promote the accountability of each and every European representative to democratically elected bodies;
- Calls for the adoption of an interinstitutional agreement with the aim of formalising a 'financial dialogue', to be organised with the European Parliament for the purpose of establishing guidelines regarding the adoption and the coherence of European positions in the run-up to major international negotiations, making sure that these positions are discussed and known *ex ante* and ensuring a follow-up, with the Commission reporting back regularly on the application of these guidelines and scrutiny; proposes that the European institutions, the Member States and, where appropriate, the heads of the international organisations concerned be invited to attend; considers that the nature (public or *in camera*) and frequency of this dialogue would depend on practical requirements; is of the opinion that active involvement of national parliaments at their respective levels, by controlling the positions taken by the representatives of the member states concerned, is also necessary;
- Considers that these more detailed guidelines could be complemented by proactive 'guidance' resolutions, to be adopted by Parliament with an appropriate frequency, which would spell out its view on general policy orientation;
- Observes that, in areas where the European Parliament is co-legislator with the Council, the dialogue would serve to define their negotiating remit, unifying European positions around legislation adopted by majority vote or avoiding inconsistencies with legislation pending adoption;
- Calls on the European representatives to pay particular attention in international negotiations to coherence and consistency between international requirements/standards and binding adopted EU legislation, and to compliance in order to create a level playing field at international level;
- Calls for enhancing the accountability of the Commission to the European Parliament by streamlining the process for the definition of EU positions at the meetings of the G20 in policy fields related to employment, energy, trade, development and anti-corruption;
- Urges the Member States to comply without delay with the sincere cooperation provisions;
- Calls on the Member States to accept the representation of the Banking Union in the Basel Committee on Banking Supervision through the Single Supervisory Mechanism;
- Calls on the Commission to include in its work programme the external dimension of economic and financial regulation, that is, the work anticipated to take place in international financial institutions, and, in order to enhance internal policy coherence, to set up a working group on global economic governance and financial institutions;

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- Takes note of the initiative of the Commission to progress towards a single representation of the euro area within the IMF; considers that this needs to be done without prejudice to a single European Union constituency in the long term;
  - Points out that, under Protocol N° 14 to the Treaty, closer coordination between euro area Member States is the responsibility of the Euro Group, whose nature is temporary and informal pending the euro becoming the currency of all Member States of the Union; considers that the transparency and accountability of the Euro Group could be improved; advocates that, along the lines of the European Parliament resolution of 20 November 2012<sup>(1)</sup>, which formulates incremental recommendations for the banking, economic, fiscal and political unions, a more formal and perennial solution should be found; recalls that the independence of the role of the Commissioner for Economic and Monetary Affairs needs to be reinforced and to be accompanied by strong accountability mechanisms vis-à-vis both Parliament and the Council;
  - Considers that, beyond the sole case of the IMF, progressive streamlining of the EU representation should be implemented over the next years, first through enhanced coordination and then, after an assessment, through the unification of seats; believes that membership of these organisations and bodies should be allocated in accordance with the respective competences of the EU institutions and the European Supervisory Authorities (ESAs), the Council/Eurogroup, and the national authorities; is of the opinion that in parallel the EU should work on the functioning of those organisations and bodies with a view to moving away from consensus to a weighted majority voting system;
  - Underlines that it is the duty of the Commission, the Council, or where appropriate the Euro Group, to strengthen coordination through preparatory meetings; considers that if necessary new ad hoc Council working groups should be set up on the lines of the Economic and Financial Committee (EFC), the Working Group on IMF matters (SCIMF), the Eurogroup Working Group (EWG) and the Economic Policy Committee (EPC);
  - Calls for a thorough assessment of the two separate seats currently allocated to the European Council and Commission presidencies at G20 meetings, in order to determine to what extent this arrangement detracts from the EU's external credibility, particularly in view of the existence of a single market in financial services; considers that with a view to encouraging the convergence of Member States represented individually various improvements are possible, which should help to achieve an effective coordination ahead of the meetings and foster a strong European voice at the meetings;
  - Calls on the EU institutions and the Member States to promote the establishment of a roadmap towards the creation of a global treaty-based financial organisation, following the lines suggested by the de Larosière report, with wide-ranging powers of recommendation, negotiation of minimum binding standards, multilateral dispute settlement mechanisms and, where appropriate, sanctions; believes that the experience gained, notably in the trade sector through the WTO, could be used to set up the above-mentioned multilateral dispute settlement mechanisms; stresses that the proposed organisation should be subject to the highest standards of transparency and accountability;
  - Is of the opinion that the Commission should be provided with an explicit mandate to foster a new impetus for the promotion of multilateralism regarding financial, monetary and regulatory international cooperation;
  - Calls on the Commission to ensure that any EU financial legislative proposals are complementary to actions at the global level;
20. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> European Parliament resolution of 20 November 2012 with recommendations to the Commission on the report of the Presidents of the European Council, the European Commission, the European Central Bank and the Eurogroup 'Towards a genuine Economic and Monetary Union' (OJ C 419, 16.12.2015, p. 48).

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## **Small-scale coastal fishing in regions dependent on fishing**

### **European Parliament resolution of 12 April 2016 on innovation and diversification of small-scale coastal fishing in fisheries-dependent regions (2015/2090(INI))**

(2018/C 058/09)

*The European Parliament,*

- having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC,
- having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council,
- having regard to Article 349 of the Treaty on the Functioning of the European Union (TFEU) on measures during the adoption of which it is necessary to take into account the special characteristics and constraints of the outermost regions,
- having regard to its resolution of 22 November 2012 on small-scale coastal fishing, artisanal fishing and the reform of the common fisheries policy <sup>(1)</sup>,
- having regard to its resolution of 23 October 2013 on marine knowledge 2020: seabed mapping for promoting sustainable fisheries <sup>(2)</sup>,
- having regard to the Commission communication of 13 May 2014 entitled 'Innovation in the Blue Economy: realising the potential of our seas and oceans for jobs and growth' (COM(2014)0254),
- having regard to the Commission communication of 6 October 2010 entitled 'Europe 2020 Flagship Initiative: Innovation Union' (COM(2010)0546),
- having regard to Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC,
- having regard to the opinion of the European Economic and Social Committee, delivered on 15 October 2014, on the communication entitled 'Innovation in the Blue Economy: realising the potential of our seas and oceans for jobs and growth' (2015/C 012/15),
- having regard to the opinion of the Committee of the Regions, delivered on 21 January 2015, on the communication entitled 'Innovation in the Blue Economy: realising the potential of our seas and oceans for jobs and growth' (2015/C 019/05),
- having regard to the Commission communication of 13 September 2012 entitled 'Blue Growth — opportunities for marine and maritime sustainable growth' (COM(2012)0494),
- having regard to the Commission communication of 3 March 2010 entitled 'Europe 2020 — A strategy for smart, sustainable and inclusive growth' (COM(2010)2020),

<sup>(1)</sup> OJ C 419, 16.12.2015, p. 167.

<sup>(2)</sup> Texts adopted, P7\_TA(2013)0438.



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- having regard to its resolution of 8 September 2015 on untapping the potential of research and innovation in the blue economy to create jobs and growth <sup>(1)</sup>,
  - having regard to the Commission communication of 13 May 2013 entitled 'Action Plan for a Maritime Strategy in the Atlantic area: delivering smart, sustainable and inclusive growth' (COM(2013)0279),
  - having regard to the Commission Green Paper of 29 August 2012 entitled 'Marine Knowledge 2020: from seabed mapping to ocean forecasting' (COM(2012)0473),
  - having regard to its resolution of 2 July 2013 on Blue Growth: enhancing sustainable growth in the EU's marine, maritime transport and tourism sectors <sup>(2)</sup>,
  - having regard to the Commission communication of 20 February 2014 entitled 'A European Strategy for more Growth and Jobs in Coastal and Maritime Tourism' (COM(2014)0086),
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A8-0044/2016),
- A. whereas coastal fishing accounts for 80 % of the European fleet and, together with shellfishing, guarantees a high level of employment in coastal areas, islands and the outermost regions, and generally represents a socially and environmentally sustainable form of fishing that has considerable potential; whereas its influence on the social heritage and cultural characteristics of coastal and island areas is exceptional and diverse;
- B. whereas most coastal and island fishing constitutes a traditional form of commercial fishing, i.e. a way of life and the principal fishing source of livelihood and of direct and indirect job creation, particularly in areas which depend on coastal fishing and which require special measures and support to facilitate growth and development;
- C. whereas coastal fishing varies to a great degree between individual Member States and also between different coastline regions within a single Member State, in terms of its basic definition and characteristics, a situation that will need to be rectified and harmonised in the common fisheries policy (CFP) in the future, and whereas significant differences exist between the Member States in terms of geography, climate, ecosystems and socio-economic factors;
- D. whereas there are differences in the characteristics of coastal fishing in the various seas within the European Union, such as in the Adriatic Sea and the Mediterranean Sea as a whole, which differ from those in the open seas of the Atlantic Ocean, including along the coast of French Guiana and in the Indian Ocean basin;
- E. whereas Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund (EMFF) defines small-scale coastal fishing as fishing carried out by vessels of less than 12 metres and not using towed fishing gear, and whereas this is the only definition of coastal fishing in EU legislation;
- F. whereas the reformed CFP has regionalisation as one of its cornerstones in recognition of the fact that, given the huge diversity of Europe's fisheries, centralised management is not appropriate; whereas given the very nature of coastal and island fishing, regionalisation and a non-centralised approach is of particular importance in this sector and the communities it serves;

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0291.

<sup>(2)</sup> OJ C 75, 26.2.2016, p. 24.

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- G. whereas operations financed by the EMFF may benefit from an increase by 30 points in aid intensity where they concern small-scale coastal fisheries;
- H. whereas Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the EMFF states that in Member States where over 1 000 vessels can be considered to be small-scale coastal fishing vessels, an action plan must be drawn up for the development, competitiveness and sustainability of small-scale coastal fishing;
- I. whereas coastal fishing should be managed pursuant to Regulation (EU) No 1380/2013, taking into account the diversity of the fleets' fishing gears, geographical and climate-based constraints, techniques and fish stocks in individual Member States and in every individual fishing zone, thereby contributing to the conservation of local traditions and fishing-related activities;
- J. whereas given that each fishing area has its own specific characteristics, the exchange of information and of good practices between the different areas may help to considerably improve the impact of fishing activities on the environment and marine ecosystems and also enable better interaction between all of the human and economic activities taking place in and around coastal areas;
- K. whereas the revenues of small-scale fishing have been decreasing substantially, as a result of the significant increase in operating costs, in particular owing to fuel costs, and owing to the reduction in the value of fish at first sale, often imposing an increase in fishing effort;
- L. whereas the management of various stocks of several prime target species has in many regions placed serious restrictions on fishing and on small fishing communities;
- M. whereas mainly traditional fishing gears and techniques, such as almadraba fishing traps, which by virtue of their specific characteristics define the identity and way of life of coastal regions, are used in coastal fishing, and there is a vital need to preserve their use and protect them as an element of cultural, historical and traditional heritage;
- N. whereas non-industrial fishing contributes to the viability of coastal and island communities in terms of controlling increasing depopulation, the fight against ageing in the fisheries sector and unemployment; whereas development and innovation may play a fundamental role in job creation in these communities; whereas, in addition, non-industrial fishing makes use, in certain zones, of ancient fishing gears and techniques which are more environmentally friendly and which have less of an impact on the status of endangered stocks;
- O. whereas non-industrial, coastal and traditional fishing is environmentally friendly and forms the basic economic building block for maintenance, development and employment in coastal and island communities;
- P. whereas, in accordance with the Mediterranean Regulation, the classification of towed gears also includes trawl nets and seine nets, even though other classifications — such as that of the Food and Agriculture Organisation — consider seine nets to be a separate group of fishing gears; whereas provisions relating to towed trawl nets should not be applied to traditional coastal seine nets, which are used to catch species that are not endangered;
- Q. whereas despite talk of innovating and diversifying the fisheries sector, account must be taken of the fact that a huge fishing community is extremely dependent on traditional and ancient forms of fishing;

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- R. whereas the new CFP acknowledges the importance of fishing-dependent coastal and island regions, and whereas the role to be played by Member States in ensuring an adequate standard of living for those who depend on fishing activities, contributing to the attainment of such a standard in the context of coastal fishing, and promoting sustainable coastal fishing and the diversification of activities in fisheries and income for those living in these coastal areas, while taking into account its cultural socio-economic reality and environmental factors, should also emphasise the importance of training and health and safety at sea for fishermen; in line with the special protection conferred by Article 174 TFEU;
- S. whereas the new Regulation on the Common Fisheries Policy gives preferential access to small-scale, coastal and traditional fishermen within a zone extending for 12 nautical miles, i.e. in the most sensitive part of the EU's waters, and whereas the Commission's evaluation of the old Regulation on the Common Fisheries Policy found that the 12-mile zones were one of the few successes of the old management regime, which was subject to many conflicts in relation to the use of space and resources with other overlapping human activities on the coastline;
- T. whereas Article 349 TFEU states that, when adopting measures — especially measures relating to the fisheries sector — the special characteristics and constraints of the outermost regions must be taken into account, with emphasis on their geographical isolation, remote location and oceanic conditions, in an often highly specific regional context where self-reliance is needed in terms of food production;
- U. whereas it should be noted that, because of the particular geographical characteristics of the outermost regions and their extreme remoteness from Europe, coastal fishing is integral to the economic development of these regions;
- V. whereas coastal fishing in the outermost regions also faces competition from vessels sailing under non-EU flags that use the same fishing areas and target the same species to sell on the same markets, in addition to competition from non-EU imports which are subject to completely different operating costs and regulatory, sanitary and environmental constraints; whereas, in this context, any efforts to aid endogenous development and self-reliance in terms of food production would come to nothing unless supported by specific EU policies in these regions;
- W. whereas, in the outermost regions, marine aquaculture also contributes, alongside coastal fishing, to economic development and the supply of fresh produce to the local area;
- X. whereas the majority of coastal regions, especially those in southern European countries and island regions, are facing a significant economic decline, which is resulting in depopulation and the exodus of their inhabitants, who seek opportunities in areas offering better prospects for employment and education;
- Y. whereas the European crisis has demonstrated the need for Europe to diversify its economic activities, and the importance of analysing new models of innovation and knowledge which may create new employment at local level.
- Z. whereas some coastal fishing regions are located close to economically developed regions and tourist destinations but are nonetheless unable to achieve adequate economic growth; whereas the pressure to use the sea's resources is already growing in such regions, and the fisheries sector is being marginalised in favour of tourism, even though the two sectors are compatible and complementary;
- AA. whereas logbooks often represent an administrative burden for small coastal fishing businesses and greater flexibility would be desirable;
- AB. whereas this pressure on coastal areas from the tourism sector is principally caused by certain specific activities, such as uncontrolled recreational fishing, which in some areas are putting a strain on the sea's resources and affecting business opportunities for those who live in traditional fishing areas;

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- AC. whereas the founding of Fisheries Local Action Groups (FLAGs) in areas which rely on fishing is vital, as such groups are recognised as a useful instrument that provides opportunities and possibilities for the diversification of activities in fisheries, which ultimately leads to the general development of coastal and island regions and to social cohesion in these regions, and there is therefore a need to further increase economic resources to enable these groups to form and to act in the relevant areas;
- AD. whereas female shellfish gatherers remain invisible and women are under-represented in general in the fisheries sector;
- AE. whereas women working in the maritime sector as net-makers, provisioners, unloaders and packers remain invisible as a group;
- AF. whereas the economic crisis is also making itself felt in the fisheries sector, especially for those population groups that have been most affected by the unemployment situation such as young people and women, and therefore diversification and innovation are necessary in order to increase employment, to take advantage of new possibilities such as blue and green development, and to prevent and counteract the marginalisation of fisheries in developing and peripheral regions; whereas special attention should be taken on professional training;
- AG. whereas diversification in coastal and island regions may be carried out through activities related to the marketing and promotion of fish products, gastronomy, tourism, cultural, historical and traditional heritage, the environment and green growth;
- AH. whereas the concept of the blue economy is developing and may give a strong boost to growth and economic development, as well as the creation of employment, in particular in coastal and island countries and regions and in the outermost regions;
- AI. whereas the coastal and island communities have a fundamental interest in the materialisation of the concept of the blue economy;
- AJ. whereas the EU's 'Innovation Union' initiative acknowledged and identified shortcomings that restrict and prevent the development of research and innovation, such as inadequate investment in science, the lack of adequate data on seas and oceans, insufficient funding and a lack of cooperation between the private and public sectors;
- AK. whereas the development of the blue economy would contribute to economic growth overall — and particularly in coastal, island and outermost regions — and it is precisely the regions that depend on fisheries that have a key role to play in the development of innovations and that should be involved at every phase of the development of the blue economy;
- AL. whereas in the fisheries sector, in the same way as in other sectors, the environment and the economy go hand in hand; whereas the development of the blue economy should therefore focus on social economy and on sustainable and environmentally friendly projects and activities aimed at introducing developing coastal activities and preserving the maritime environment and biodiversity as a whole, with specific support for environmentally friendly artisanal fishing activities which encourage biodiversity; whereas these projects and activities must also be sustainable from the social and economic point of view so as to ensure that non-industrial fishing remains viable;
- AM. whereas the blue economy may also contribute to developing safety aboard fishing vessels and improve fishermen's working conditions and day-to-day wellbeing;
- AN. whereas environmental and selectivity targets apply equally across the board, but it will be problematic for small vessels to meet the landing obligation for discards;

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- AO. whereas anthropogenic influences, i.e. human activities, in coastal regions have been underestimated in the context of environmental protection issues; whereas the cumulative effects of various activities on coastal regions have not been adequately recognised or assessed; whereas activities that take place in some areas, such as maritime transport, tourism, uncontrolled and exhaustive recreational fishing in some areas, the sale of species obtained through this activity, poaching, urban and industrial waste water from the mainland, etc., particularly affect the fisheries sector;
- AP. whereas knowledge of the marine environment, specifically of the state of the marine ecosystem, is vital for assessing the impact of various activities on the environment, as is the laying down of suitable protection measures and monitoring programmes with the goal of promoting the recovery of fish stocks, the sustainable use of resources and the development of innovations; whereas data on the marine environment are inadequate and inadequately systematised;
- AQ. whereas in certain regions illegal fishing poses a real threat to the continued existence of non-industrial coastal fishing as well as jeopardising the preservation of fishery resources and biodiversity;
- AR. whereas the Integrated Maritime Policy aims to respond to the new challenges faced by the seas, industry and fishermen throughout Europe, from protection of the environment to coastal development, by way of aquaculture, nautical tourism or other economic activities related to blue growth;
1. Calls on the Commission to adapt the definition of coastal, small-scale coastal and traditional fishing in line with the socio-economic characteristics and specificities of the different regions, rather than solely according to the dimensions and power of fishing vessels, since the current EU regulations are not satisfactory; proposes to make use of regionalisation in order to adapt the definition of coastal fishing on a case-by-case basis in line with the specificities of each fishery; proposes to take into account a number of indicative criteria such as the size of the vessels, the fishing gears used, the selectivity of fishing techniques, the lengths of the fishing trips and whether the owner of the vessel is on board, the traditional formulas of entrepreneurship and the property and business structures traditionally operating in these areas, the involvement of the extractive sector in the activities of processing and sales, the true nature and scale of the extractive activities and other factors linked to traditional activities, the support from businesses or the influence on local communities;
  2. Calls on the Commission to consider the possibility of small-scale coastal fishing in island communities which traditionally depend on fishing for their own livelihood, and are engaged in fishing activities throughout the year;
  3. Calls on the Commission and the Member States to gradually increase the quotas allocated to non-industrial fisheries, in order to boost this socially and ecologically sustainable form of fishing;
  4. Calls on the Commission to support innovative projects and legal provisions that facilitate the development of the coastal, island and outermost regions, taking account of the diversity of socio-economic activities, as a means to drive the positive externalities of non-industrial fishing, in terms of both social and economic cohesion and environmental protection by means of new types of support within the context of existing European funding; emphasises that priority should be given to projects that focus on sustainable job creation and retention, the increasing involvement of the extractive sector in processing and sales, the promotion of entrepreneurship formulas linked to social economy, the promotion of short market chains, the introduction of new technologies in the promotion and sale of fishing goods and services, innovation in the development of new goods and services, and maintaining and protecting traditional roles;
  5. Considers that the revision of the framework of technical measures must take into account the specificities of coastal fishing and allow for certain derogations, provided these are justified, in the context of regionalisation;

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6. Calls on the Commission to coordinate an investigation at European level to ascertain the impact of recreational coastal fishing on traditional fishing activities and also to define the parameters that are required in order to reduce recreational coastal fishing in some areas; calls for increased monitoring of this activity to prevent any interference between the extractive sector and these practices that are already a cause for concern in outermost regions with important tourism sectors;
7. Calls on the Member States to give priority to small-scale coastal fishing when granting EMFF funding and to streamline procedures for operators of those types of fisheries;
8. Urges the authorities involved in promoting these activities to ensure that all local stakeholders, entrepreneurs' associations, fishing and oceanography research institutes, universities, centres for technology and local and regional institutions participate in the innovation processes, in order to help the projects to introduce comprehensive measures, to improve their financing prospects and to provide them with sufficient support to meet the conditions specified in the European Fisheries Fund;
9. Calls on the Commission to be accountable to the Parliament in respect of the action plans for the development, competitiveness and sustainability of small-scale coastal fishing drawn up by the Member States for the purposes of the EMFF;
10. Calls on the Commission to implement the necessary measures to support the various groups of women in the maritime sector so as to encourage their participation and ensure they are represented in all areas, both in decision-making roles and fishing activities;
11. Calls on the Commission to introduce specific measures to recognise and improve working conditions for women working as net-makers, provisioners, unloaders and packers;
12. Calls on the Commission, in close coordination with the Member States, to strengthen the role of the European Fisheries Areas Network (FARNET), which provides significant assistance to FLAGS;
13. Calls on the Commission to promote and drive the founding and the work of FLAGS by increasing economic resources, since these groups are providing continued support and advice directly to the fisheries sector and thus promoting a socially inclusive sustainable development model in fishing areas, inspiring young people and women to become involved in new business projects and contributing to innovation infrastructure refurbishment, economic investment and diversification, and local management plans by the fisheries themselves; calls on the Commission to strengthen the role and functions of competent authorities in developing new innovative activities and to work in close coordination with the various sector operators;
14. Calls on the Commission to help strengthen the role of fisheries communities in local development and the governance of local fisheries resources and maritime activities;
15. Calls on the Commission to consider the particular role of women in the economy in coastal areas and to act consistently with this, as is already done in the agricultural industry; calls for an acknowledgement of the amount in terms of GDP that is contributed by women in auxiliary roles and of the particular relevance of their contribution in households in which gender-based division of work traditionally meant that extraction was solely a male activity; calls for professional recognition at all levels of traditional female roles in the sector and for the setting up of dedicated programmes aimed at supporting entrepreneurship by women in these areas;
16. Calls on the Commission to promote and support investment in the diversification of the fisheries sector through the development of complementary activities and the versatility of careers in fisheries, including investments in vessels, safety equipment, training, environmental services in the fisheries sector activities, and cultural and educational activities, with particular emphasis on protecting the environment and promoting sustainable growth; stresses that the key objective must be to fund activities that are socially, environmentally and economically viable and capable of creating employment, particularly for young people and women; stresses that marine aquaculture is compatible and complementary with coastal fishing in the outermost regions, and calls on the Commission to support the development of farming and varietal-selection techniques in the warm waters of tropical or subtropical areas; calls on the Commission to highlight the role played by women in non-industrial coastal fishing and all associated activities;

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17. Calls on the Commission to boost the creation and development of fishing tourism, with the aim of applying a differentiated business strategy that is appropriate to the potential of this segment and able to meet its needs more effectively, working towards a new form of tourism in which the key concerns are for quality, flexibility, innovation and preserving the historic and cultural heritage of fishing areas as well as the environment and health, among other aspects; calls on the Commission also to promote and support investment in fisheries in the area of tourism, in order to create differentiated tourism capacities by promoting gastronomy connected with non-industrial fish products, angling tourism activities, underwater and diving tourism, etc., thereby sustainably capitalising on fishing heritage and the recognisability of a specific fishing region;

18. Highlights the growing importance of nautical sporting activities in the strengthening of local communities, particularly out of season, through new underwater, diving or other nautical sports such as surfing or bodyboarding.

19. Calls on the Commission, in the interests of boosting the creation and development of fishing tourism, to actively promote and support investment in the diversification of fisheries in the area of culture and art as part of traditional heritage (handicrafts, music and dance) and to support investment in the promotion of tradition, history and fishing heritage in general (fishing gears, techniques, historical documents, etc.) by opening museums and organising exhibitions that relate closely to coastal fishing;

20. Calls on the Commission to look into the possibility of allowing mixed use of vessels intended for extractive activities so that, while still retaining this purpose, they may also accommodate other kinds of activities linked with the recreational and tourism sector, such as nautical information days or activities related to processing, learning or gastronomy, etc., in line with the system that operates in the rural sector involving farm schools or agrotourism;

21. Calls on the Commission, and the Member States via their governing agencies, to ensure that small-scale coastal fisheries receive their fair share of EMFF funding, particularly given the administrative constraints imposed on them;

22. Calls on the Commission to create measures which encourage and promote mobility between professions related to the sea.

23. Calls for the results of research and projects financed from the public budget to be made publicly available under certain conditions, for more effective disclosure of and access to existing data on seas and oceans to be ensured, and for the current administrative barriers hindering growth and the development of innovation to be removed;

24. Urges the Commission to improve the regulations by introducing mechanisms to oversee the fair allocation of quotas to small-scale fishing with regard to shared species;

25. Emphasises that the main product of fishing is the fish itself and that it is vital to strengthen the various means of using fish, including canning and the use of fish by-products; calls on the Commission to actively promote and support investment in the diversification of fisheries in terms of the marketing and processing of local fish products and to boost the development of local distribution channels, the promotion of these products through the creation of local distinctive signs and/or trademarks for fresh products and by supporting the creation of local business projects aimed at carrying out these activities; stresses that promoting innovation in this manner must in particular include the development of labels and seals guaranteeing the quality of local fish products;

26. Calls for greater flexibility with regard to logbooks for vessels of less than 12 metres, in particular in terms of the requirement that documents must be sent within 48 hours, as this represents a considerable administrative burden; proposes in this context to allow vessels that sell all of their fish at auction to be exempted from this obligation, which would enable the required information to be obtained without imposing an unnecessary administrative burden;

27. Encourages the establishment of marine protected areas, which will promote sustainable fisheries resources and facilitate the control of and fight against IUU (illegal, unreported and unregulated) fishing; stresses the need for the EU to provide adequate guidance, coordination and support to Member States in this respect;

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28. Calls for firm support for the work of women since they play an essential role in non-industrial fishing; stresses in particular the key tasks performed by women in the processing chain and their fundamental role in shellfishing;
29. Notes that coastal fishing in the outermost regions is eligible for a compensation scheme recognised under the EMFF because of the significant additional costs it incurs; calls on the Commission to expand this scheme with the addition of a specific mechanism for the outermost regions that is similar to the POSEI scheme in the agricultural sector;
30. Calls on the Commission to support the introduction of fresh produce obtained through non-industrial fishing, shellfishing and small-scale, sustainable, extensive aquaculture to public eating establishments (educational institutions, hospitals, restaurants, etc.);
31. Stresses that the outermost regions have specific characteristics as a result of their remoteness and insular nature; emphasises that these specific characteristics incur additional costs for coastal fishing in these regions and that these additional costs should be compensated in full as part of the EMFF;
32. Stresses that coastal fishing fleets in the outermost regions often consist of ageing vessels, which causes issues in terms of on-board safety; calls on the Commission to propose a revision of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the EMFF with a view to authorising aid for the renewal of small-scale coastal fishing vessels in the outermost regions, providing this does not increase capacity;
33. Calls on the Commission and the Member States to provide access to marine and ecological data with a view to promoting transparency, innovation and development, and to guarantee access to all interested parties to scientific information developed with the support of public cofinancing;
34. Stresses that the oceans and areas along and near to the coasts have a potential that remains largely unexplored in terms of development, employment, energy autonomy, innovation and sustainable development; considers that the EU's recognition of this potential and of the role played by these areas would make these coastal, island and outermost regions more attractive and boost their development;
35. Expresses concern at the application of the Horizon 2020 programme to the blue economy area, since it is the main programme for research and the development of innovation at European level; supports the creation of a blue economy Knowledge and Innovation Community (KIC) within Horizon 2020 which contributes to strengthening activities in coastal regions through transnational public-private partnerships;
36. Supports the use of funds intended for innovation and blue growth to fund basic research, R&D, training, the setting up of companies, environmental protection and the launch of innovative products and processes on the market;
37. Calls on the Commission to provide support as part of initiatives for the direct management of project financing, in which emphasis is placed on coastal fisheries and the development of coastal regions;
38. Stresses the importance of environmental protection instruments, such as Environmental Impact Assessments for individual projects and Strategic Environmental Assessments for strategies, plans and programmes, which contribute to sustainable fisheries;
39. Stresses the importance of the Integrated Maritime Policy for the future of fishing-dependent regions and understands that there must be an increasing commitment to the strategy of blue growth. The aim is to provide long-term support for sustainable growth in all marine and maritime sectors, acknowledging the importance of seas and oceans as the powerhouses which generate employment and create employment in the coastal regions;



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40. Stresses that coastal and island regions, as well as the outermost regions, are the main actors in the development of innovation and that they must be involved at every stage of the development of the blue economy;

41. Stresses the importance of the EMFF, which has a particular focus on diversification and innovation in the fisheries sector, with a view to supporting fisheries which are socio-economically and environmentally sustainable, innovative, competitive, effective and knowledge based; supports the need to strengthen funding for Axis 4 of the European Fisheries Fund with a view to supporting the members of fishing communities and improving their living standards by developing new activities; calls on the Commission to validate the regional versions of the EMFF as soon as possible;

42. Stresses the importance of strengthening the relationship between local communities and universities/technology centres which will contribute decisively to the creation of new business incubators which enable the generation of new business ideas in the maritime sector;

43. Calls on the Commission to actively promote projects which offer support for the strengthening of innovation and technological development, the objective of which is the development or introduction of new products, equipment, techniques, as well as new or improved systems for management and organisation; calls on the Commission to promote and encourage the exchange of information and the sharing of good practices between the different fishing areas so as to foster the development of innovative and sustainable fishing methods; considers it essential in this regard to incorporate modules for the training of entrepreneurs and for diversification in professional nautical and fishing schools;

44. Calls on the Commission to encourage the creation of new, innovative businesses in fishing-dependent regions, providing an incentive for entrepreneurship and the creation of start-ups with a good possibility of success in the maritime sector, which will contribute to the diversification of the activity of traditional coastal fishing, create employment and attract or maintain the population;

45. Calls on the Commission to use a selective approach when developing legislative proposals on the use of fishing gears and techniques so as to take into account the actual impact that these gears and techniques have on non-industrial fishing resources in each of the relevant areas; calls on the Commission to ensure that any legislative initiatives are subject to a thorough prior impact assessment taking account of the specific factors that apply in each fishing area; feels that a non-selective approach to the use of fishing gears and techniques is having a serious impact on the viability of already marginalised coastal and island communities, causing further depopulation and hindering development and innovation; feels that positive discrimination should be applied to artisanal coastal fishing; believes that this approach, as with the case of the proposal to ban driftnets, suggests that the Commission is still adjusting to the decentralised reformed CFP which the co-legislators chose to adopt; reminds the Commission of its duty to operate within the framework of regionalisation as set out in the new CFP Regulation;

46. Notes that coastal marine ecosystems are sensible and urges Member-States and the Commission to evaluate the environmental impact of any activities that could affect the sustainability of fish stocks, such as maritime transport, waste, transport, aquifer pollution, drilling activities or the construction of new tourist facilities along the coast, in accordance with the precautionary principle;

47. Advises the Commission to give the highest importance to the socio-economic relevance of artisanal coastal fishing and small-scale fishing within the EU, the adoption of alternative methods of defining the segments of the fleet, and the importance of the diversification of the activity in strongly fishing-dependent coastal regions; notes the relevance of gathering a body of scientific information which facilitates better management of artisanal fisheries, in order to make them sustainable from a biological, social, economic and environmental point of view;

48. Calls on the Commission to speed up the process of transposition of the social partners' agreement on implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation into an appropriate EU legislative instrument;

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49. Calls on the Commission, in accordance with the expert classification of fishing gears set out in the Mediterranean Regulation, to take into account the differences between trawl nets and seine nets in order to give the best provisions towards the more sustainable use of each kind, taking into account the most recent scientific advice;
  50. Calls on the Commission to ensure that a review of the assessment of the status of fish stocks relevant to coastal fisheries is carried out, and stresses the need for an analysis of small-scale fishing's impact on fish stocks, not forgetting more substantial techniques such as tuna fishing given that the species fished in coastal fisheries are extremely valuable in socio-economic terms, even though they only account for a small proportion of total catches but are, nevertheless, very significant for the survival of those fishermen who rely on them for their daily earning;
  51. Expresses concern at the loss of traditional fishing techniques and skills due to unfavourable regulations that affect coastal communities;
  52. Calls on the Commission to amend the provision on the technical specifications for fishing nets, such as the minimal mesh size, the height of the net, the distance from the coast and depth at which nets may be used in order to ensure a more balanced harvesting of fish stocks and to preserve biodiversity;
  53. Calls on the Commission to amend the provisions of the existing regulation that prescribe the required distance from the coast and the depth at which fishing gears may be used to take account of the geographical specificities of border areas of Member States;
  54. Stresses the need for an amendment to the Regulation concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, also known as the 'Mediterranean Regulation', which was adopted in 2006 and which lays down rules on the technical characteristics of fishing gears and their uses; feels that this regulation must be brought into line with the new CFP, while keeping in mind that the basin is managed jointly with non-EU countries, in particular the objective of maximum sustainable yield;
  55. Stresses the need for effective coordination between the Member States to ensure that fishermen are given timely and comprehensive information on the implementation of existing regulations and any amendments to them;
  56. Calls on the Commission to promote projects, in the context of cohesion policy, that will make a contribution to protecting coastal and island areas as traditional, cultural and historical fishing and maritime heritage areas;
  57. Calls on the Commission and the Member States to use European funds to subsidise the sustainability certification of almadraba traps, in order to promote the recognition and contribution of this fishing method;
  58. Instructs its President to forward this resolution to the Council and the Commission.
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**External dimension of the CFP, including fisheries agreements****European Parliament resolution of 12 April 2016 on common rules in respect of application of the external dimension of the CFP, including fisheries agreements (2015/2091(INI))**

(2018/C 058/10)

*The European Parliament,*

- having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC <sup>(1)</sup>,
- having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council <sup>(2)</sup>,
- having regard to the Treaty on the Functioning of the European Union (TFEU),
- having regard to the United Nations Convention on the Law of the Sea of 10 December 1982,
- having regard to the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,
- having regard to the Food and Agriculture Organisation Code of Conduct for Responsible Fisheries, adopted in October 1995, and to the associated instruments and guidelines,
- having regard to the vulnerable marine ecosystem (VME) concept that emerged from discussions at the United Nations General Assembly (UNGA) and gained momentum following the adoption of UNGA resolution 61/105 of 2006, and to the fact that VMEs constitute areas that may be vulnerable to the impact of fishing activities,
- having regard to the 2009 Azores Scientific Criteria and Guidance for identifying ecologically or biologically significant marine areas (EBSAs) and designing representative networks of marine protected areas in open ocean waters and deep sea habitats under the Convention on Biological Diversity (CBD),
- having regard to its resolution of 22 November 2012 on the external dimension of the Common Fisheries Policy <sup>(3)</sup>,
- having regard to the conclusions of the Long Distance Advisory Council Conference of 16 and 17 September 2015,
- having regard to Court of Auditors Special Report No 11/2015 of 20 October 2015 entitled ‘Are the Fisheries Partnership Agreements well managed by the Commission?’,
- having regard to Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on Fisheries and the opinion of the Committee on Development (A8-0052/2016),

<sup>(1)</sup> OJ L 354, 28.12.2013, p. 22.<sup>(2)</sup> OJ L 149, 20.5.2014, p. 1.<sup>(3)</sup> OJ C 419, 16.12.2015, p. 175.

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- A. whereas, according to the 2014 Food and Agriculture Organisation (FAO) report entitled 'The State of World Fisheries and Aquaculture', the number of over-exploited stocks increased continuously until 2008 but decreased slightly in 2011;
- B. whereas the EU is one of the world's main fishing players, with a strong historical presence and significant activities in all the world's oceans through a combination of fleet activities, private investments by EU nationals, its network of bilateral fisheries agreements, its outermost regions, and its participation in all of the major regional fisheries management organisations (RFMOs), and whereas the EU encourages good practice and respect for human rights;
- C. whereas the sustainable management of global fish stocks must inevitably involve multilateralism and international cooperation, including bilateral cooperation; whereas the EU has a key role to play in global governance of the seas and oceans, and whereas the CFP must be based on an ambitious vision that is coherent with the internal dimension provided for in the basic regulation on the subject;
- D. whereas the FAO recently published Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries, which set out objectives in relation to such fisheries, particularly in developing countries;
- E. whereas the EU is a major market for fishery products (including fish caught by EU fleets as well as imports) and the largest importer of such products, consuming 11 % of the world's fish production in terms of volume and importing 24 % of fishery products in terms of value, even though it only accounts for 8 % of the world's catch; whereas the EU has an extensive processing industry with a significant social dimension which must be protected;
- F. whereas the external dimension of the new CFP encompasses international agreements and fisheries in the areas beyond national jurisdiction (ABNJs), whereas the Convention on Biological Diversity and the FAO advocate the identification of ecologically or biologically significant marine areas (EBSAs) and vulnerable marine ecosystems (VMEs), respectively, and whereas marine protected areas are essential tools for ecosystem-based management, as recognised by regional fisheries management organisations (RFMOs);
- G. whereas quotas in RFMOs have been based primarily on historical catches, which led to preferential access to global fish stocks for developed countries; whereas allocation criteria established by some RFMOs must now be used to take account of fishing by coastal developing countries which have depended on adjacent fisheries resources for generations, a fact that the EU must continue to respect;
- H. whereas it is essential to differentiate between the northern agreements with Norway, Iceland and the Faroe Islands, and sustainable fisheries partnership agreements (SFPAs) involving other countries;
- I. whereas the EU has to seek policy coherence for development under Article 201(1) of the TFEU, according to which 'the Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries';
- J. whereas in some cases there are insufficient data on the status of resources and total removals by local and third-country fleets in respect of fish stocks that the EU is fishing in the waters of third countries, or which are destined for the EU market, thus making it difficult to evaluate the level of surplus stocks under many mixed agreements as required under the UN Convention on the Law of the Sea (UNCLOS); whereas it would be desirable to increase the quantity and transparency of such data;
- K. whereas the EU should take all possible steps to ensure that the sustainable fisheries agreements entered into with third countries provide mutual benefits to the EU and to the third countries in question, including their local populations and fisheries sectors;

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L. whereas the problem of piracy also has negative effects on regions where regulated fishing is practised within the framework of bilateral and multilateral fisheries agreements;

1. Welcomes the inclusion in the basic regulation on the CFP, for the first time, of a chapter referring to the external dimension, including minimum conditions for bilateral agreements, a duty to foster cooperation among RFMOs and consistency between the measures they take, an explicit reference to common standards both inside and outside EU waters, and a statement that measures must be based on the best available scientific advice;

2. Emphasises the importance of ensuring consistency between fishery, environmental and trade policy and development cooperation;

3. Recognises the importance of maintaining and expanding the coherence and compatibility of the existing legal framework;

4. Calls for increased cooperation between Commission bodies relevant to fisheries, namely DG MARE, DG DEVCO and DG TRADE;

5. Insists that the promotion, by the EU and the partners with whom it has bilateral and other agreements, of environmentally, socially and economically sustainable fisheries based on transparency and the participation of non-governmental stakeholders, especially professionals who depend on fishing for their livelihoods, is essential in order to secure a future for coastal communities, the marine environment, the development of local industry, the employment generated by fishing, processing and trade, and the contribution of fishing to food security;

6. Insists on the importance of promoting ecosystem protection and maintaining fish stocks above levels capable of producing the maximum sustainable yield, as more abundant fish stocks are an important requirement to enable the development of third countries' coastal fishing communities, in line with the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries;

7. Stresses the need to support the development of local communities whose livelihoods depend mostly on fishing and activities related to the fishing industry; underlines the need to support measures aimed at promoting the transfer of technologies and know-how, capacity management, multi-stakeholder partnerships and other investments for the benefit of the fishing industry;

8. Recalls that the environmental standards that must also apply to EU external fisheries include the implementation of the ecosystem-based approach to fisheries management together with the precautionary approach, so as to rebuild and maintain exploited stocks above levels that can produce the maximum yield by 2015 wherever possible, and by 2020 at the latest for all stocks;

9. Emphasises that all aspects of the external dimension of the CFP must be predicated on equitable and mutually beneficial relationships between the EU, its Member States and their partners globally, be they bilateral (SFPAs) or multilateral (RFMOs), with a view to promoting sustainable development of the local fishing industry; stresses that such equity must also be reflected in EU trade agreements with third countries, consistent with the requirement for policy coherence for development;

10. Calls on the Commission to include, in the external dimension of the CFP, consideration of the outermost regions, including bilateral agreements signed with third countries, so as to ensure that local fisheries in the outermost regions benefit;

11. Recognises the work done by the Long Distance Advisory Council in developing its position on the external dimension of the revised CFP and the implementation thereof, in conjunction with stakeholders from third countries;

12. Insists that, in its external fishery-related activities (catching, processing and marketing), the EU must promote its highest environmental and social standards and implement rigorous and effective control and inspection measures, while ensuring transparency in all its activities, so as to ensure fair competition on the EU market;

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13. Recognises the role of the external dimension of the CFP in the creation of employment (both in the EU and elsewhere) and the supply of fish to EU markets (and to local markets in some circumstances), and as a vehicle by which the EU can provide technical, financial and scientific assistance to third countries, in particular through support for improvements in scientific research, control and surveillance regimes and the development of port infrastructure;

14. Welcomes the significant improvements in the way in which the EU has managed the external dimension of the CFP in recent years, in terms of both the SFPAs and their implementation, with the result that EU fleets are generally among the most progressive distant-water fishing fleets in meeting high social and environmental standards; considers that the EU should promote such environmental and social standards in the international context via RFMOs and its network of SFPAs;

15. Recognises that when the EU fleet ceases to operate in a fishery, its fishing rights may be redistributed among other fleets that have much lower standards of conservation, management and sustainability than those advocated and defended by the EU;

16. Considers the provision of sectoral support to the fishing sector in SFPA partner countries to be critical in addressing their growing needs relating to fishing management, scientific research capacity, infrastructure construction and maintenance, and the training of fisheries inspectors and crew members, and in improving the supply and availability of fish with a view to the food security of populations in SFPA partner countries by providing support for the work done by women in the fisheries sector;

17. Insists, therefore, on better linkage between the sectoral support provided under fishing agreements and the instruments available within the scope of cooperation on development, specifically the European Development Fund (EDF), and for full transparency in the funding of fisheries projects and the use of sectoral support, so as to ensure the proper use of EU funds;

18. Reiterates the need for better scientific information on the status of resources and catch/effort data for fishing outside EU waters, especially in the waters of certain developing coastal states, with funds available under the European Maritime and Fisheries Fund and the EDF being used for that purpose;

19. Notes that, according to the recent Court of Auditors report on the fisheries partnership agreements (FPAs), while one of the main objectives of the FPAs is to fish only surplus stocks, this has proved very difficult to implement in practice, 'due to a lack of reliable information on fish stocks and on the fishing effort of domestic fishing fleets, or of other foreign fleets which have also been granted access by the partner countries'; stresses, in this connection, the importance of reliable scientific data and independent ex-post evaluations concerning the effectiveness of FPAs;

20. Insists that the EU should promote, through its SFPAs and its work in RFMOs, harmonisation of the conditions governing access to African waters for all foreign fleets in respect of tuna and small pelagic and demersal species, with a view to establishing favourable conditions for fishermen working in a sustainable and responsible manner;

21. Calls for the expansion of independent observer programmes that contribute to the monitoring of fisheries and the collection of scientific data;

22. Is convinced that it is only through regional management of fisheries, including observer programmes and inspection (in port and at sea) and control systems at a regional level, that sustainable and equitable exploitation can be developed for highly migratory stocks and straddling and shared stocks as required by UNCLOS and the UN Fish Stocks Agreement;

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23. Notes that a legal framework for regional management of highly migratory species, together with many other stocks, exists through the tuna and other RFMOs, although some fisheries remain outside the RFMO network, and urges the Commission to work to ensure that all relevant fisheries are managed by an RFMO as soon as possible;
24. Calls on the Commission to allocate greater funding to RFMOs, since they have a crucial role to play in combating illegal, undeclared and unregulated (IUU) fishing;
25. Is concerned that certain other fisheries, especially for shared stocks not found on the high seas, do not yet have an effective forum for regional cooperation and management; considers this a serious problem, particularly for the stocks of small pelagic species in West Africa, given their strategic importance for food security, as noted in a recent advisory opinion of the International Tribunal for the Law of the Sea <sup>(1)</sup>;
26. Urges the EU to use its influence to ensure that all fisheries with a regional dimension are managed by an RFMO; particularly urges the EU to push for the Fishery Committee for the Eastern Central Atlantic (CECAF) to become a full-fledged RFMO with decision-making authority, rather than an FAO regional fisheries advisory body;
27. Is convinced that, insofar as EU fleets have access to other fisheries (e.g. for demersal species), there is a need for the EU to promote measures applicable to all in order to ensure harmony between industrial and artisanal fishing fleets, which may require a zoning system that allows for the protection of the local artisanal fishing sector;
28. Calls for more studies on, and increased protection of, deep sea species and habitats, in particular those which are especially sensitive or fundamental for the ecosystem's long-term sustainability;
29. Encourages the Commission to promote a balanced distribution of the allocation of access in RFMOs, taking into account the environmental and social impact, food security needs, and developing countries' aspiration to develop their own fisheries; notes that any reallocation needs to involve all fleets, both distant-water and national, and to be based on any appropriate allocation criteria developed by the relevant RFMO;
30. Welcomes the requirement in the basic regulation that all foreign fleets operating in a country with which the EU has an SFPAs must be subject to similar conditions of access which promote sustainable fisheries, as an important measure ensuring that other distant-water fleets operate to the same standards as the EU rather than undermining them; encourages the Commission to pursue this requirement vigorously;
31. Calls for the EU to utilise its network of SFPAs and negotiations in RFMOs to ensure that our partner countries limit access by all distant-water fleets to surplus stocks, as required by UNCLOS and the CFP, and as the EU does, and to provide preferential access to fleets using the most environmentally and socially sustainable practices for the region and stocks concerned;
32. Is concerned about the potential interruption of fishing activities between two protocols when negotiations on a new protocol become protracted; calls on the Commission to guarantee the legal and economic security of operators by assuring the continuity of fishing operations between two protocols;

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<sup>(1)</sup> Advisory Opinion of the International Tribunal for the Law of the Sea of 2 April 2015, in response to the request submitted by the Sub-Regional Fisheries Commission (SRFC): [https://www.itlos.org/fileadmin/itlos/documents/cases/case\\_no.21/advisory\\_opinion/C21\\_AdvOp\\_02.04.pdf](https://www.itlos.org/fileadmin/itlos/documents/cases/case_no.21/advisory_opinion/C21_AdvOp_02.04.pdf)

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33. Recognises the importance of establishing a broader framework with developing countries which encompasses not only fisheries but also the preceding and subsequent areas of the supply chain;
34. Encourages the EU to avoid negotiating SFPAs with countries where corruption is accepted;
35. Recognises the importance of establishing a broader framework with developing countries which integrates fisheries with other development-related themes;
36. Believes in the importance of recognising fishing licences through diplomatic channels;
37. Recognises the importance for developing countries of fisheries, especially artisanal fisheries, on account of their contribution to food security, the local economy and employment for both men and women, without prejudice to the role played by those industrial fisheries activities which take place within a responsible and transparent framework in ensuring the socio-economic development of coastal areas and the supply of fish products;
38. Underlines the need for the EU to respect its obligation to promote environmentally and socially sustainable fisheries in developing countries through all EU policies that affect fisheries in developing countries (aid, trade, fisheries);
39. Emphasises the importance of involving women throughout the value chain, from financing through to the processing and/or marketing of fish products; believes that promoting women's access to these activities would reinforce their economic and social empowerment, thereby playing an important role in closing gender gaps; insists that more attention be paid to equality-related priorities in EU relations with developing countries;
40. Emphasises the need to promote local development by means of sectoral support, by increasing the empowerment of partner countries' fisheries through, in particular, strengthening sustainable aquaculture, developing and conserving artisanal fishing, improving scientific knowledge about the condition of fish stocks and boosting private-sector initiatives by local parties; calls for the EU, through SFPAs, to encourage good governance, in particular the good management of public revenues from the fisheries sector and of financial compensation;
41. Considers that the EU should encourage third countries, starting with those with which it negotiates an SFA, to establish a regulatory framework for joint ventures by EU and other interests in the catching, processing and marketing sectors; is of the opinion that such a framework is the best means of ensuring that joint ventures are set up and operate in line with high sustainability and transparency standards as promoted by the reformed CFP, thus also providing better legal stability for EU interests in supporting sustainable fisheries development in third countries;
42. Insists that transparency, accountability and stakeholder participation are to be considered key elements of EU fisheries relations with third countries;
43. Emphasises that European investments in third countries' fisheries under the guise of joint ventures must be covered by the CFP; stresses that the EU should, through its SFPAs, promote a dialogue with partner countries on the establishment of a regulatory framework in order to ensure that joint ventures in the catching, processing and marketing sectors formed with partners from the EU or other countries operate in a transparent manner, do not compete with the local artisanal sector and contribute to the development objectives of the country concerned;
44. Gives consideration to the Court of Auditors report, which stresses that the under-utilisation of the tonnage quotas adopted in certain recent protocols results in high costs; invites the Commission, therefore, to avoid unnecessary costs for the EU budget in this area as far as possible;



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45. Believes that Parliament should have a more active role than the current consent procedure, and insists that it be immediately and fully informed at all stages of the proceedings as regards the conclusion or renewal of FPAs, in order to increase the transparency and democratic accountability of the protocols;

46. Recognises the importance of the external dimension of the CFP in creating employment in both the EU and our partner countries, including through the hiring of local crew in the context of SFPAs; encourages, where possible, EU vessels to unload their catches in the partner countries for initial processing; calls for instruments to protect workers and decent working conditions to be included in European regulations on fishing matters (especially in respect of International Labour Organisation Convention 188) and in SFPAs in order to guarantee the same working conditions, remuneration, protection of workers' rights and levels of training for EU and other nationals;

47. Warmly welcomes the transparency provisions of the most recent protocol with Mauritania, whereby the latter undertakes to publish all agreements with states or private entities granting foreign vessels access to its exclusive economic zone (EEZ), and urges that such transparency provisions be included in all SFPAs;

48. Warmly welcomes, also, the fact that the protocol with Mauritania grants the EU fleet priority access to fishing surpluses in that country, and encourages the Commission to follow this example in negotiating protocols with other third countries, taking into account the strict sustainability requirements which the EU fleet must meet;

49. Strongly encourages the Commission to ensure that similar transparency provisions are included in other future protocols, leading to much-improved transparency regarding total fishing effort and conditions of access; calls for information on the aggregated catches of vessels from all fleets allowed to fish in Mauritanian waters, and the associated conditions of access, to be publicly available;

50. Calls on the Commission, in the context of those international bodies with which it is involved, to encourage other third countries also to publish the terms of other agreements that they sign with other states or private entities, including the identity of vessels authorised to fish and their activities and catches; encourages, likewise, third countries to comply with RFMO resolutions, which promote transparency in fisheries agreements;

51. Encourages other third countries to consider RFMOs' recommendations, resolutions and decisions promoting the transparency of fisheries agreements within the EEZ concerned;

52. Believes that the Commission should, as soon as possible, improve transparency by setting up a database covering all private agreements between or on behalf of EU ship-owners and local or regional bodies or authorities or third countries that involve access to third-country fisheries, including conditions for access, allowable fleet capacity, the identity of the vessels and the resulting fishing activities, and that this database should be in the public domain, with the exception of those parts which contain commercially sensitive information;

53. Notes that ship-owners sign private agreements with the governments of third countries which are outside the scope of the CFP; is concerned that the Commission is not systematically notified of such agreements; is worried that this could, under certain circumstances, lead to unfair competition with developing countries' local fishing communities, as well as with EU ship-owners operating under bilateral agreements;

54. Considers that vessels fishing under the provisions of an SFPA but which do not fulfil their obligations, such as that of supplying their Member State with the data required under the terms of their fishing authorisation, should be subject to the penalties provided for in the Control Regulation and the IUU Regulation, including, where appropriate, denial of a fishing authorisation;

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55. Considers it regrettable that previous estimates of the size of the 'external fleet' have used differing definitions of the types of vessel to be included, with the result that existing estimates are not comparable, which makes it impossible to carry out an analysis of the fleet's size and evolution over time, thus severely limiting transparency; encourages the Commission to develop a definition of the external fleet that includes all vessels operating outside EU waters, while paying due attention to the relevant specificities of the northern agreements, so as to allow historical comparison;

56. Notes that, despite the role played by the General Fisheries Commission for the Mediterranean (GFCM), differences in the rules applied to EU and third-country fleets operating in the same fisheries have been causing considerable problems for EU fishermen; considers it necessary for the EU to increase its efforts in the Mediterranean Basin by means of closer cooperation with local bodies, regional organisations, scientific institutions, observatories and country-based fisheries clusters; considers that the EU has a role to play in the resolution of conflicts between vessels in the Mediterranean, and asks the Commission to consider supporting and assisting fishermen who are frequently subject to confrontations with third-country vessels, and to establish closer cooperation with countries on the southern shore of the Mediterranean;

57. Welcomes the recent publication of the names of EU-flagged vessels granted authorisation to fish outside EU waters, and insists that the Commission publish such information as a matter of course, including data on their activities and catches;

58. Notes that transparency is a prerequisite for consultation with, and the informed participation of, fisheries stakeholders, especially professionals whose livelihoods depend on fisheries; considers that such consultation and participation should be promoted in SFPAs, including the negotiation of agreements and protocols, their implementation, the allocation and use of sectoral support, work carried out in RFMOs, and the application of development cooperation projects;

59. Notes that the basic regulation includes a provision requiring vessels that leave and subsequently return to the EU register to provide information on their activities before their return; considers that this requirement should be strengthened such that a vessel's complete flagging history must be submitted to the Commission and included in the Community Fishing Fleet Register database prior to the vessel's acceptance in the register;

60. Recognises the work done by the EU in combating IUU fishing, which is a threat to fish stocks and constitutes unfair competition to legitimate fishermen; acknowledges the contribution of the IUU Regulation to promoting sustainable fishing in the world; considers that, thanks to the EU's pivotal role as the world's leading market for fish, it has the capacity to secure support from other states, including those with which it has SFPAs, and international actors in order to ensure a common approach and an effective global regime to combat IUU fishing;

61. Promotes the development of a unique international system for registering all vessels sailing in international waters;

62. Insists that the IUU Regulation must be applied rigorously, objectively and transparently, in a non-discriminatory and harmonised manner, in order to promote a level playing field among fleets and countries, and encourages the Commission and the Member States to do so; considers, further, that in order to ensure the success of the regulation it must not be subject to the short-term needs of the EU's trade policy or be used by EU fishing interests as a tool for unfairly improving competition;

63. Calls on the Commission to study the inclusion in the IUU Regulation of provisions relating to working conditions;

64. Emphasises that SFPAs should also ensure the complete traceability of marine fisheries products;

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65. Believes that bilateral and multilateral trade agreements negotiated by the EU should promote environmentally sustainable and socially just conditions for the production of fisheries products in the third countries concerned, through the use of appropriate quantitative and qualitative restrictions on access to the EU market, so as to not undermine the progress being made in combating IUU fishing through this regulation; also believes that these conditions should be a requirement for placing any fish or fishing-derived product on the European market, and that any fish or fishing-derived product not guaranteed to comply with these conditions or with consumer protection requirements should be barred from the European market;
66. Believes that the economic, social and environmental conditions prevailing in the collection and processing of fish should be clear to consumers;
67. Suggests that the provisions of bilateral and multilateral trade agreements should include an explicit reference to the IUU Regulation, including the standards contained therein; advises the Commission to propose the suspension of trade relations with a third country that has been identified under Article 31 of the IUU Regulation;
68. Urges the Commission to introduce into the IUU Regulation a system similar to the Trade Control and Expert System (TRACES) in order to verify and cross-check data relating to catch certificates and vessels, or to establish a minimum percentage for the verification of imports of processed products;
69. Considers it important to issue detailed guidance to, and monitor the efforts made by, countries which have been the subject of yellow or red cards;
70. Welcomes the inclusion of fishing vessels as vulnerable in the context of Operation Atalanta activities, and requests that continued support and protection be given to the EU fleet;
71. Considers that the UN negotiations for a new system of international oceans governance in ABNJs must have the objective of arriving at a regime that allows the study and equitable, sustainable and precautionary utilisation of the resources of international ocean waters, including the continuing work of identifying EBSAs with a view to implementing a coherent network of marine protected areas;
72. Recalls the Commission's duty as guardian of the Treaties to ensure that Member States meet their due diligence obligations regarding the external activities of their nationals and vessels, and calls for the EU to take account of the recent International Tribunal for the Law of the Sea advisory opinion identifying the EU as flag state in the context of bilateral agreements;
73. Instructs its President to forward this resolution to the Council and the Commission.
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P8\_TA(2016)0119

## Renewal of the approval of the active substance glyphosate

**European Parliament resolution of 13 April 2016 on the draft Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011 (D044281/01 — 2016/2624(RSP))**

(2018/C 058/11)

*The European Parliament,*

- having regard to the draft Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011 (D044281/01,
  - having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC <sup>(1)</sup>, and in particular Article 20(1) thereof,
  - having regard to Articles 11 and 13 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers <sup>(2)</sup>,
  - having regard to Article 7 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <sup>(3)</sup>,
  - having regard to the European Food Safety Authority (EFSA) Conclusion on the peer review of the pesticide risk assessment of the active substance glyphosate <sup>(4)</sup>,
  - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
  - having regard to Rule 106(2) and (3) of its Rules of Procedure,
- A. whereas the systemic herbicide glyphosate currently has the highest global production volume of all herbicides; whereas its global use has increased dramatically, by a factor of 260, in the last 40 years (from 3 200 tonnes in 1974 to 825 000 tonnes in 2014) <sup>(5)</sup>;
- B. whereas glyphosate is a non-selective herbicide which kills all herbage; whereas it acts by interfering with the so-called shikimate pathway, a pathway that is also present in algae, bacteria and fungi; whereas sub-lethal exposures of *Escherichia coli* and *Salmonella enterica* serovar Typhimurium to commercial formulations of glyphosate have been found to induce a changed response to antibiotics;

<sup>(1)</sup> OJ L 309, 24.11.2009, p. 1.

<sup>(2)</sup> OJ L 55, 28.2.2011, p. 13.

<sup>(3)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(4)</sup> <http://www.efsa.europa.eu/en/efsajournal/pub/4302>

<sup>(5)</sup> <http://enveurope.springeropen.com/articles/10.1186/s12302-016-0070-0>

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- C. whereas 76 % of the use of glyphosate worldwide is in agriculture; whereas it is also widely used in forestry, urban and garden applications;
- D. whereas glyphosate and/or its residues have been detected in water, soil, food and drinks and non-comestible goods, as well as in the human body (e.g. in urine and maternal milk);
- E. whereas the general population is exposed primarily through residence near sprayed areas, through home use, and through diet; whereas exposure to glyphosate is on the rise owing to the increase in the total volume of glyphosate used; whereas the impact of glyphosate and its most common co-formulants on human health must be regularly monitored;
- F. whereas according to Regulation (EC) No 1107/2009, an active substance may only be approved if it is not or is not to be classified as a carcinogen category 1A or 1B in accordance with the provisions of Regulation (EC) No 1272/2008, unless the exposure of humans to the active substance concerned is negligible or there is a serious danger to plant health that cannot be contained by other available means;
- G. whereas in March 2015 the International Agency for Research on Cancer (IARC) classified glyphosate as 'probably carcinogenic to humans' (Group 2A), on the basis of 'limited evidence' of cancer in humans (from cases of real-world exposure that actually occurred), 'sufficient evidence' of cancer in laboratory animals (from studies of 'pure' glyphosate), and 'strong evidence' of mechanistic information related to carcinogenicity (for genotoxicity and oxidative stress) for both 'pure' glyphosate and glyphosate formulations;
- H. whereas the criteria used by IARC for Group 2A are comparable to those for Category 1B in Regulation (EC) No 1272/2008;
- I. whereas, nevertheless, in November 2015 the European Food Safety Authority (EFSA) finalised a peer review of glyphosate and concluded that 'glyphosate is unlikely to pose a carcinogenic hazard to humans and the evidence does not support classification with regard to its carcinogenic potential according to Regulation (EC) No 1272/2008';
- J. whereas Commission Implementing Regulation (EU) .../... of XXX renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011 (hereinafter the 'draft implementing regulation'), based on scientific evaluation conducted both by the BfR and EFSA, proposes to authorise glyphosate until 30 June 2031, i.e. for the maximum period possible, for any use, with a restriction for one of the co-formulants and the establishment by Member States of a list of co-formulants not accepted for inclusion in plant protection products, without any legally binding conditions on its use, and subject only to confirmatory information on endocrine-disrupting properties;
- K. whereas the stated purpose of Regulation (EC) No 1107/2009 is 'to ensure a high level of protection of both human and animal health and the environment and to improve the functioning of the internal market through the harmonisation of the rules on the placing on the market of plant protection products, while improving agricultural production';
- L. whereas it is stated in the text of Regulation (EC) No 1107/2009 that its provisions are 'underpinned by the precautionary principle in order to ensure that active substances or products placed on the market do not adversely affect human or animal health or the environment'; whereas the text further states that 'in particular, Member States shall not be prevented from applying the precautionary principle where there is scientific uncertainty as to the risks with regard to human or animal health or the environment posed by the plant protection products to be authorised in their territory';

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- M. whereas pursuant to Article 13(2) of Regulation (EC) No 1107/2009, any decision regarding the approval/non-approval/conditional approval of an active substance shall be based on the Commission's review report and on 'other factors legitimate to the matter under consideration and the precautionary principle where the conditions laid down in Article 7(1) of Regulation (EC) No 178/2002 are relevant';
- N. whereas Article 7(1) of Regulation (EC) No 178/2002 stipulates that 'in specific circumstances where, following an assessment of available information, the possibility of harmful effects on health is identified but scientific uncertainty persists, provisional risk management measures necessary to ensure the high level of health protection chosen in the Community may be adopted, pending further scientific information for a more comprehensive risk assessment';
- O. whereas the conditions of recourse to the precautionary principle as laid down in Regulation (EC) No 178/2002 are clearly fulfilled in light of the ongoing controversy about the carcinogenic properties of glyphosate;
- P. whereas according to Article 14(2) of Regulation (EC) No 1107/2009, the maximum possible period for renewal of approval for active substances is 15 years; whereas in the interests of safety, the approval period should be proportionate to the possible risks inherent in the use of such substances, while experience gained from the actual use of plant protection products containing the substances concerned and any developments in science and technology should be taken into account when any decision regarding the renewal of an approval is taken;
- Q. whereas the European Ombudsman, in her decision in case 12/2013/MDC of 18 February 2016 on the practices of the European Commission regarding the authorisation and placing on the market of plant protection products (pesticides), called on the Commission to review its approach to the definition and implementation of mitigation measures (conditions and restrictions), so as to include further requirements aimed at ensuring that the Commission does not evade its responsibility to ensure the effective protection of human health, animal health and the environment by allowing Member States almost absolute discretion as regards the definition of mitigation measures for potentially unsafe substances, given that standard formulations are very open-ended and it can be doubted whether they can be legally described as requiring mitigation measures at all;
- R. whereas the draft implementing regulation does not, however, contain any legally binding risk mitigation measures, despite a high long-term risk found for almost all uses of glyphosate for non-target terrestrial vertebrates, including mammals and birds; whereas use of the non-selective herbicide glyphosate kills not only unwanted weeds, but all plants, as well as algae, bacteria and fungi, thereby having an unacceptable impact on biodiversity and the ecosystem; whereas as such, glyphosate fails to comply with point (e)(iii) of Article 4(3) of Regulation (EC) No 1107/2009;
- S. whereas several Member States have already taken precautionary measures to protect public health and the environment; whereas in order to achieve the same level of protection in all Member States, in case of approval of an active substance clear and legally binding conditions for its use should be set at Union level;
- T. whereas EFSA, at the request of the Commission, considered in its assessment the report published by the International Agency for Research on Cancer (IARC), which classified glyphosate as probably carcinogenic to humans; whereas EFSA's evaluation was based on a large body of evidence, including a number of studies not assessed by the IARC, and according to EFSA this is one of the reasons why it reached different conclusions;

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- U. whereas the head of EFSA's Pesticides Unit, which was in charge of the assessment, described certain studies not assessed by the IARC as 'key' and 'pivotal'; whereas EFSA has so far refused to make these studies publicly available, as the applicants have claimed that disclosure would harm their commercial interests; whereas non-publication of studies makes independent scientific scrutiny impossible; whereas EFSA did not provide verifiable proof that disclosure would harm the industry in accordance with its legal obligation under Article 63 of Regulation (EC) No 1107/2009;
- V. whereas according to Article 4(2) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>(1)</sup>, the institutions shall refuse access to a document where disclosure would undermine the protection of commercial interests unless there is an overriding public interest in disclosure; whereas in light of the ongoing controversy between IARC and EFSA on an issue as publicly relevant as cancer and the global relevance of the decision regarding the reapproval/conditional reapproval or non-reapproval of glyphosate, there is clearly an overriding interest in disclosing these studies;
- W. whereas there are not only serious concerns about the carcinogenicity of glyphosate, but also doubts as regards a possible mode of action in relation to its endocrine-disruptive properties; whereas glyphosate-based formulations have been found to be endocrine disruptors in human cell lines and, in the absence of the proper scientific horizontal criteria, an endocrine-mediated mode of action cannot be ruled out; whereas the Commission will provide standards for defining endocrine disruptors by August 2016;
- X. whereas the EFSA stated as a 'concern' that 'an endocrine-mediated mode of action could not be ruled out', as the assessment could not be finalised on account of data gaps; whereas, however, point 2.2 of Annex II to Regulation (EC) No 1107/2009 provides that an active substance shall only be approved where a complete dossier is submitted; whereas this is all the more important given that Regulation (EC) No 1107/2009 provides that an active substance shall only be approved if it is not considered to have endocrine-disrupting properties that may cause adverse effects in humans, unless the exposure of humans to that active substance is negligible or there is a serious danger to plant health that cannot be contained by other available means;
- Y. whereas it is inappropriate for the Commission to deal with this significant deficiency via confirmatory data to be submitted after the decision on reapproval, as the confirmatory data procedure should apply only in certain exceptional cases as laid down in point 2 of Annex II to Regulation (EC) No 1107/2009, and should not concern data requirements which existed at the time the application was submitted;
- Z. whereas over the past two decades further evidence has accumulated of adverse effects, especially the fact that several vertebrate pathways are likely targets of action of glyphosate, including hepatorenal damage and effects on nutrient balance through glyphosate chelating action<sup>(2)</sup>;
- AA. whereas in July 2015 the rapporteur Member State indicated its intention to submit a dossier concerning the harmonised classification of glyphosate under Regulation (EC) No 1272/2008 to the European Chemicals Agency, which is the relevant scientific authority with regard to the harmonised classification of chemical substances; whereas the application was expected for the end of March 2016; whereas the decision-making process is expected to last 18 months;

<sup>(1)</sup> OJ L 145, 31.5.2001, p. 43.

<sup>(2)</sup> <http://ehjournal.biomedcentral.com/articles/10.1186/s12940-016-0117-0>

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- AB. whereas a significant use of glyphosate is for 'desiccation', the killing of the actual crop plant prior to harvest in order to accelerate its ripening and facilitate its harvesting (also known as 'green burndown'); whereas this practice not only has significant adverse effects on biodiversity, but also typically results in much higher residue levels in the final harvested products, and thus leads to increased human dietary exposure <sup>(1)</sup>; whereas this practice also contaminates the straw from the treated crop and thus makes it unsuitable for animal feed; whereas it is unacceptable, both for the protection of human health and for the environment, to use a non-selective herbicide for such purposes;
- AC. whereas the great majority of genetically modified crops are resistant to glyphosate <sup>(2)</sup>; whereas 56 % of global glyphosate use in 2012 was for glyphosate-resistant genetically modified crops <sup>(3)</sup>;
- AD. whereas in 2015 and 2016 the European Parliament objected to four different draft Commission implementing acts concerning the placing on the market of products containing, consisting of, or produced from, genetically modified crops <sup>(4)</sup> <sup>(5)</sup> <sup>(6)</sup> <sup>(7)</sup>; whereas all of these crops were genetically modified to be resistant to glyphosate; whereas three of these crops were also genetically modified to be resistant to a second herbicide, thus combining multiple resistances;
- AE. whereas the widespread use of glyphosate on glyphosate-resistant crops over the last 20 years is known to have led to the development of resistant weeds, as the repeated use of glyphosate without sufficient alternation of weed killers or weeding practices has been found to highly favour the evolution of resistant weeds; whereas, in response, agro-biotech companies are adding further herbicide-tolerant traits to crops, as evidenced by three of the four genetically modified crops opposed by the European Parliament, a treadmill that may lead to an increase in the multi-resistance of weeds <sup>(8)</sup>; whereas such a toxic spiral is not sustainable;
- AF. whereas studies have shown that integrated pest management based on crop diversification, soil tillage regimes, sowing dates and mechanical weeding can reduce herbicide use while preserving crop yields and being more sustainable and environmentally friendly, with important biodiversity benefits <sup>(9)</sup>;

<sup>(1)</sup> <http://ehjournal.biomedcentral.com/articles/10.1186/s12940-016-0117-0>

<sup>(2)</sup> <http://www.ncbi.nlm.nih.gov/pubmed/26296738>

<sup>(3)</sup> <http://enveurope.springeropen.com/articles/10.1186/s12302-016-0070-0>

<sup>(4)</sup> European Parliament resolution of 16 December 2015 on Commission Implementing Decision (EU) 2015/2279 of 4 December 2015 authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize NK603 × T25 (MON-ØØ6Ø3-6 × ACS-ZMØØ3-2) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (Texts adopted, P8\_TA(2015)0456).

<sup>(5)</sup> European Parliament resolution of 3 February 2016 on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean MON 87705 × MON 89788 (MON-877Ø5-6 × MON-89788-1) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (Texts adopted, P8\_TA(2016)0040).

<sup>(6)</sup> European Parliament resolution of 3 February 2016 on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean FG72 (MST-FGØ72-2) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (Texts adopted, P8\_TA(2016)0038).

<sup>(7)</sup> European Parliament resolution of 3 February 2016 on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean MON 87708 × MON 89788 (MON-877Ø8-9 × MON-89788-1) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (Texts adopted, P8\_TA(2016)0039).

<sup>(8)</sup> <http://www.ncbi.nlm.nih.gov/pubmed/26296738>

<sup>(9)</sup> [http://ec.europa.eu/environment/integration/research/newsalert/pdf/herbicide\\_reduction\\_can\\_preserve\\_crop\\_yields\\_as\\_well\\_as\\_biodiversity\\_benefits\\_of\\_weeds\\_445na2\\_en.pdf](http://ec.europa.eu/environment/integration/research/newsalert/pdf/herbicide_reduction_can_preserve_crop_yields_as_well_as_biodiversity_benefits_of_weeds_445na2_en.pdf)



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AG. whereas EFSA found in 2015 that for certain pesticides, including glyphosate, the number of determinations of maximum residue limits (MRLs) reported was significantly below the number needed to derive statistically sound conclusions; whereas, according to EFSA, reporting countries should extend the scope of the analytical methods used for enforcement of MRLs to make sure that the detection rate and the MRL exceedance rate are not biased by the low number of determinations or lack of data from certain countries <sup>(1)</sup>;

AH. whereas in March 2016 the vote in the Standing Committee on Phytopharmaceuticals on the draft implementing regulation renewing the approval of the active substance glyphosate was postponed;

AI. whereas the US Government Accountability Office (GAO) recently issued a recommendation to the United States Food and Drug Administration to assess risk and disclose information with regard to glyphosate residues in relation to public health;

1. Considers that the Commission's draft implementing regulation fails to ensure a high level of protection of both human and animal health and the environment, fails to apply the precautionary principle, and exceeds the implementing powers provided for in Regulation (EC) No 1107/2009;

2. Calls on the Commission to submit a new draft implementing regulation in order to better address the sustainable use of herbicides containing glyphosate; calls on the Commission to recommend that Member States in particular limit or prohibit the sale of glyphosate for non-professional users and ask for an assessment by the Commission, together with experts from Member States, to evaluate the use of plant protection products for non-professionals and make proposals, to develop training and user authorisation for professionals, to provide better information on the use of glyphosate, and to place strict limits on the pre-harvest use of products containing the active substance glyphosate;

3. Calls on the Commission to renew the approval of glyphosate for 7 years; recalls that under Regulation (EC) No 1107/2009 the Commission can withdraw the approval of an active substance during the period of its authorisation on the basis that new scientific evidence can demonstrate that it no longer satisfies the criteria for its approval; calls on the Commission and Member States to accelerate their work on the list of co-formulants not accepted for inclusion in plant protection products; welcomes the exclusion of POE-tallowamine from use in plant protection products containing glyphosate;

4. Calls on the Commission in particular not to approve any non-professional uses of glyphosate;

5. Calls on the Commission in particular not to approve any uses of glyphosate in or close to public parks, public playgrounds and public gardens;

6. Calls on the Commission in particular not to approve any agricultural uses of glyphosate where integrated pest management systems are sufficient for the necessary weed control;

7. Calls on the Commission to re-evaluate its approval in light of the pending submission of a dossier concerning the harmonised classification of glyphosate under Regulation (EC) No 1272/2008 to the European Chemicals Agency (ECHA);

8. Calls on the Commission to rapidly ensure an independent review of the overall toxicity and classification of glyphosate based on all available scientific evidence, including that relating to carcinogenicity of glyphosate, as well as possible endocrine-disruptive properties under the expected scientific horizontal criteria for endocrine disruptors;

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<sup>(1)</sup> [http://www.efsa.europa.eu/sites/default/files/scientific\\_output/files/main\\_documents/4038.pdf](http://www.efsa.europa.eu/sites/default/files/scientific_output/files/main_documents/4038.pdf)

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9. Calls on the Commission and on EFSA to disclose immediately all the scientific evidence that has been the basis for the positive classification of glyphosate and the proposed re-authorisation, given the overriding public interest in disclosure; calls on the Commission furthermore to make all necessary efforts to facilitate full disclosure of the scientific evidence used in the context of the EU evaluation process;
  10. Calls on the Commission to mandate its Food and Veterinary Office to test and monitor glyphosate residues in foods and drinks produced in the Union, as well as in imported produce;
  11. Calls on the Commission and Member States to finance research and innovation with regard to alternative sustainable and cost-efficient solutions for pest-management products to ensure a high level of protection of human and animal health and the environment;
  12. Is of the opinion that an appropriate follow-up of this resolution by the Commission is important for trust in and between the institutions of the European Union;
  13. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.
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P8\_TA(2016)0120

**The EU in a changing global environment — a more connected, contested and complex world****European Parliament resolution of 13 April 2016 on the EU in a changing global environment — a more connected, contested and complex world (2015/2272(INI))**

(2018/C 058/12)

*The European Parliament,*

- having regard to Article 3(1), (2) and (5), Article 21, in particular paragraphs (1), (2), point (h) and paragraph (3), second subparagraph thereof, Articles 8, 22, 24, 25, 26, Article 42, in particular paragraph (7) thereof, and Article 46 of the Treaty on European Union (TEU),
- having regard to Article 222 of the Treaty on the Functioning of the European Union,
- having regard to the 2003 European Security Strategy (ESS) and the 2008 Report on the implementation of the ESS,
- having regard to the report from the Vice-President/High Representative (VP/HR) on ‘The European Union in a changing global environment — a more connected, contested and complex world’,
- having regard to the joint communication from the European Commission and the High Representative on ‘The EU’s comprehensive approach to external conflicts and crises’ (JOIN(2013)0030),
- having regard to the Commission communication on ‘The European Agenda on Security’ (COM(2015)0185),
- having regard to the joint communication from the Commission and the High Representative on ‘Review of the European Neighbourhood Policy’ (JOIN(2015)0050),
- having regard to its resolution of 21 May 2015 on the implementation of the Common Security and Defence Policy (based on the Annual Report from the Council to the European Parliament on the Common Foreign and Security Policy) <sup>(1)</sup>,
- having regard to its resolution of 21 January 2016 on the mutual defence clause (Article 42(7) TEU) <sup>(2)</sup>,
- having regard to the European Council conclusions of 19 and 20 December 2013 (EUCO 217/13) and of 25 and 26 June 2015 (EUCO 22/15), and to the Council conclusions on CSDP of 18 May 2015 (8971/15),
- having regard to Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the European Defence Agency <sup>(3)</sup>,
- having regard to the joint communication from the Commission and the High Representative on ‘Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace’ (JOIN(2013)0001),
- having regard to the European Union Maritime Security Strategy, as adopted by the Council of the European Union on 24 June 2014,

<sup>(1)</sup> Texts adopted, P8\_TA(2015)0213.

<sup>(2)</sup> Texts adopted, P8\_TA(2016)0019.

<sup>(3)</sup> OJ L 266, 13.10.2015, p. 55.

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- having regard to the 2010 NATO Strategic Concept and the 2014 NATO Wales Summit Declaration,
  - having regard to its resolution of 17 December 2015 on the Annual Report on Human Rights and Democracy in the World 2014 and the European Union's policy on the matter <sup>(1)</sup>,
  - having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy, as adopted by the Foreign Affairs Council on 25 June 2012,
  - having regard to its resolution of 17 December 2015 on arms export: implementation of Common Position 2008/944/CFSP <sup>(2)</sup>,
  - having regard to the 2030 Agenda for Sustainable Development, as adopted by the UN General Assembly in September 2015, and the Paris Agreement on Climate Change,
  - having regard to the letter of the Committee on International Trade,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Development (A8-0069/2016),
- A. whereas many present and future challenges and threats to the EU are complex and interrelated, stemming from state and non-state actors and coming from inside just as much as from outside the common borders; whereas there is a need to connect local, regional and global contexts; whereas strong political will and leadership for resolute common action on the part of the EU and its Member States are needed in order to respond proactively, collectively and effectively to these challenges, to safeguard the EU's values and societal model, and to turn the EU into an effective and more strategic actor and contribute to global security; whereas the EU Global Strategy on foreign and security policy must pave the way for this development by defining a political level of ambition of the EU as an international actor;
- B. whereas the EU must recognise the full extent of the deterioration in its immediate strategic environment, and the long-term consequences thereof; whereas the fact that multiple crises are occurring simultaneously and having increasingly direct consequences within the EU means that no Member State can respond alone and that Europeans should exercise their responsibilities collectively to ensure their security;
- C. whereas the threats identified in the 2003 European Security Strategy — terrorism, weapons of mass destruction, regional conflicts, state failure and organised crime — remain for the most part relevant; whereas today the EU is faced with a number of serious and unforeseen additional challenges, such as the attempts by revisionist powers to redraw borders by force by violating international law and to challenge rules-based global order, climate change, slow economic growth, major migratory and refugee flows, and the largest refugee crisis since World War II, in addition to technological developments in space and cybernetics, financial crime, nuclear proliferation and arms races, hybrid and asymmetric warfare and threats;
- D. whereas Europe's security architecture has been based on the Organisation for Security and Cooperation in Europe (OSCE); whereas the EU is a key player in the OSCE;

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0470.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0472.

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- E. whereas, in light of the deterioration in regional security, the EU must give priority to stabilising its immediate neighbourhood, but without forgoing its global commitments; whereas security crises on the EU's doorstep are compounded and shaped by global trends and, conversely, effective management of regional security is a prerequisite for the EU's capacity to act globally;
- F. whereas the European Council tasked the High Representative on 26 June 2015 with continuing the process of strategic reflection with a view to preparing an EU global strategy on foreign and security policy in close cooperation with the Member States, to be submitted to the European Council by June 2016;
- G. whereas a swift and efficient response to threats on the part of the EU requires strong solidarity between Member States, barriers being overcome and silo mentalities broken down within the institutions, as well as in the foreign representations of the European External Action Service (EEAS) and the Member States, and sufficient and flexible budgetary resources being allocated to support the achievement of the EU's interests; whereas an effective European strategy requires first and foremost a strong political will and sense of common purpose shared among Member States to develop and use true European instruments;
- H. whereas threats of different kinds targeting individual Member States must be seen as threats to the Union as a whole, calling for strong unity and solidarity between Member States and a consistent common foreign and security policy;
- I. whereas the comprehensive approach and the consistent and coordinated use of the EU's external and internal policy instruments should be at the core of the new strategy; whereas EU arms exports cannot be considered to be in the direct security interests of the EU, and Common Position 2008/944/CFSP should be taken into account in the context of developing an EU Global Strategy; whereas the EU's primary objective is to promote its values, thus contributing to peace, security and the sustainable development of the earth, in addition to solidarity and the mutual respect of peoples; whereas these fundamental goals must not be overlooked when the EU takes measures to implement its internal and external policies; whereas even when the EU acts to promote its commercial interests, it must always strive to ensure that its actions are consistent with the pursuit of its objectives relating to peacekeeping and the protection of human rights;
- J. whereas, in such a volatile and uncertain international environment, the EU must have the strategic independence to allow it to ensure its security and promote its interests and values;
- K. whereas human security must be at the heart of the EU Global Strategy, and the gender perspective of security and UN Security Council resolution 1325 need to be fully taken into account;
- L. whereas since the adoption of the 2003 European Security Strategy the EU has set the goal of achieving an international order based on effective multilateralism and the rules of international law;
- M. whereas the new strategy must be in line with the 2030 Agenda for Sustainable Development;
- N. whereas the future strategy should be followed up by annual implementation reports and include the following objectives, which should be further detailed in 'substrategies' laying down specific provisions for different areas of action;

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***Defend the European Union***

1. Notes that the aim of the European Union is to promote peace, its values and the well-being of its people, while ensuring the security of its citizens and of its territory; stresses that the Union's external action is guided by the principles enshrined in Article 21 TEU; emphasises that the EU must therefore ensure both its internal and its external resilience, its capacity to anticipate, pre-empt and resolve predictable challenges and threats and to be prepared to take swift action on unpredictable crises, and its capacity to recover from various types of attack, as well as safeguarding security of supply of energy and raw materials, while taking into account the effects of climate change, which must be addressed urgently, with the EU taking a leading role in global climate action and in promoting sustainable development;
2. Believes that in order to deal with a changing global environment, the EU strategy should be based on:
  - (a) identifying and prioritising the threats and challenges;
  - (b) defining the responses thereto;
  - (c) determining the necessary resources;
3. Underlines that the borders of each Member State are the borders of the Union and must be defended as such;
4. Takes the view that the EU, as a global actor, has a key role in upholding the principles enshrined in international human rights law, in particular the principles of universality and indivisibility of human rights; believes therefore that human rights must be meaningfully integrated into the new Global Strategy in order to implement fully the EU Strategic Framework, EU Human Rights Guidelines and the Action Plan on Human Rights and Democracy; highlights in this regard the need to always consult EU, Member State and third-country civil society so as to enable the experience and expertise of practitioners and human rights defenders to inform and sharpen EU foreign and security policy; calls on the EU and its Member States to ensure that EU foreign policy adopts a strategic approach to human rights, emphasising concrete actions and outcomes and demonstrating coherence in the EU's engagement on human rights across different countries and regions, regardless of security, foreign policy, trade, energy, aid or other concerns;
5. Believes that it is crucial to identify the genuine shared foreign policy interests of all 28 EU Member States in every region of the world and in every relevant policy field; stresses, in addition, that making these shared interests visible would on its own significantly strengthen the EU as an actor in foreign affairs; calls on the VP/HR to task the EEAS with mapping these specific interests and helping to define strategic and operational objectives that could lead directly to concrete outcomes;
6. Believes that the United States is the EU's key strategic partner; notes that the EU and its Member States must be more united and prepared to take greater responsibility for their collective security and territorial defence, relying less on the United States, especially in Europe's neighbourhood; stresses that the transatlantic alliance must remain a crucial pillar of a global rules-based system; calls on the EU and the Member States, therefore, to step up their defence capabilities, in order to be prepared to respond to the broad spectrum of civilian, military and hybrid threats and risks, in synergy with NATO, and to make full use of the Lisbon Treaty provisions on the Common Security and Defence Policy (CSDP);
7. Urges the EU in consequence to enhance coherent and structured cooperation on defence research, the industrial base and cyber defence through pooling and sharing and other cooperative projects, in order to use national defence budgets more efficiently, to achieve the collective target of 2 % of defence spending on research and to launch an EU-funded defence research and technology programme in the next multiannual financial framework (MFF); considers that the role of the European Defence Agency (EDA) needs to be strengthened and its resources increased to enable it to act more effectively;

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considers also that Member States should take more responsibility for building urgently needed European capabilities and contributing to EU strategic autonomy, increase their military research expenditure through the EDA and strengthen the European Defence Technological and Industrial Base (EDTIB) and the European Defence Market (EDM); calls for more transparent and accountable use of security and defence budgets by Member States; calls also on the Member States to ensure that appropriate capabilities for fulfilling the tasks under Article 43 TEU are made available, including for relevant UN peacekeeping missions; considers, furthermore, that European intelligence exchanges should be improved and a true European intelligence and forecasting capacity developed, with the appropriate oversight mechanisms in place;

8. Calls on the VP/HR to address the lack of clarity regarding the mutual defence clause contained in Article 42(7) TEU and to define the guidelines and procedures for its implementation in order to allow the Member States to respond effectively when it is invoked;

9. Strongly criticises the Commission for not completing in time the tasks entrusted to it by the European Council in 2013 regarding a planned roadmap for a comprehensive EU-wide security-of-supply regime, a planned Green Paper on the control of defence and sensitive security industrial capabilities, the monitoring of defence and security procurement and 'government-to-government sales' in the defence sector;

10. Takes note of Council Decision (CFSP) 2015/1835 of 12 October 2015; calls on the head of the European Defence Agency and the VP/HR to inform Parliament as to how this Council Decision reflects Parliament's repeated call for the EDA to be strengthened by financing its staffing and running costs from the Union budget;

11. Believes that a principal objective should be to move towards permanently pooled multinational military units, joint defence forces and the framing of a common defence policy which should ultimately lead to a European Defence Union; demands, in this regard, the establishment of a permanent EU military headquarters to improve military crisis management capability, and ensure contingency planning and the interoperability of forces and equipment; calls on the Member States to reinforce defence cooperation collectively, bilaterally and in regional clusters; supports the adoption of a White Paper on EU Defence, based on the EU Global Strategy;

12. Takes the view that the current activation of Article 42(7) TEU should serve as a catalyst for unleashing the potential of all the security- and defence-related Treaty provisions;

13. Stresses the vital importance of strengthening EU-NATO cooperation, which should guarantee the coordination between operations, and supports the establishment of European capabilities which strengthen NATO in territorial defence and are able to conduct intervention operations autonomously beyond the EU's borders; stresses that the CSDP should reinforce the European pillar of NATO and ensure that European members of NATO actually live up to their NATO commitments; suggests combining the concepts of EU Battle Groups and the NATO Response Force; recalls that the military contributions should be based on the principle of solidarity among EU Member States;

14. Stresses that arms export controls are an integral part of EU foreign and security policy and must be guided by the principles enshrined in Article 21 TEU, notably the promotion of democracy and the rule of law and the preservation of peace, prevention of conflicts and strengthening of international security; recalls that it is crucial to ensure coherence between arms exports and the credibility of the EU as a global human rights advocate; is deeply convinced that a more effective implementation of the eight criteria of the Common Position would represent an important contribution to the development of the EU Global Strategy;

15. Calls on the Member States to respect the Common Position on arms exports and to cease arms trade with third countries who do not fulfil the criteria listed;

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16. Supports a further deepening of the efficient governance of global common domains such as sea, air, space and cyberspace;

17. Notes that the role technology plays in our societies is growing and that EU policy must respond to the rapid changes in technological development; stresses in this regard the fundamental empowering role that the internet and technologies can play in development, democratisation and emancipation of citizens across the globe and therefore highlights the importance of the EU working to promote and safeguard the free and open internet and to protect digital rights;

18. Stresses that the impact of technologies should also be reflected in the global strategy, as well as in cybersecurity initiatives, while the improvement of human rights should be an integral part of, and be mainstreamed in, all EU policies and programmes, if applicable, in order to advance the protection of human rights, the promotion of democracy, the rule of law and good governance, and peaceful conflict resolution;

### ***Stabilise Europe's wider neighbourhood***

19. Believes that in order to be a more effective and credible global actor, the EU should take greater responsibility and focus on filling the security vacuum in its vicinity and its wider neighbourhood, and on creating conditions for stability and prosperity based on the rule of law and respect for human rights, which necessarily comprises addressing the root causes of the current wars and conflicts, migratory flows and the refugee crisis;

20. Is convinced that the EU should be more engaged in de-escalatory diplomacy, especially in the Southern Neighbourhood; believes that the new strategy should include ways in which the EU could build on the recent Iran nuclear deal and promote further confidence building and other security-related regional arrangements, which might also build on Europe's own experiences with regional security arrangements such as the Conference on Security and Cooperation in Europe (CSCE) and agreements such as the Helsinki Final Act;

21. Is of the opinion that in order to build stability and peace, and promote human security, the rule of law, respect for human rights and democratisation, the EU should keep up its enlargement and integration commitments, based on policies which foster economic growth and inclusive societies, and continue cooperation with very closely associated countries within the context of the newly revised European Neighbourhood Policy (ENP); recalls that according to Article 49 TEU any European state may apply to become a member of the European Union, provided it adheres to the Copenhagen criteria, which are set and non-negotiable, and the principles of democracy and respect for fundamental freedoms and human and minority rights, and ensures the rule of law; considers that the EU should maintain at all times a coherent and consistent engagement in both its Eastern and Southern neighbourhoods;

22. Believes that the current refugee crisis demands a holistic European approach and urgent concerted action, employing both internal and external instruments; calls for a long-term strategy and sustainable management of asylum, migration and readmission policies on the basis of common principles and solidarity and with due regard for human rights and human security; calls for the reinforcement of the Schengen system, the European Border and Coast Guard and FRONTEX; in this context, asks the Commission to propose effective and sustainable solutions; believes that in this regard the EU should promote a more practical and comprehensive approach to assist Africa, the Middle East and fragile and war-prone countries and regions;

23. Believes that inclusive multilateral diplomacy under the coordination and leadership of the VP/HR is crucial in conflict resolution and crisis management, both in the neighbourhood and globally; stresses that more strategic direction, consistency and positive synergies need to be developed between increasingly interlinked external action policies and internal policies at EU level, within Member States, and between the EEAS and the Commission;



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***Strengthen multilateral global governance***

24. Believes that the EU should be a constructive and resilient global actor with a regional focus, equipped with the necessary civilian and military means, and aspire to be a 'rule-maker', contributing to and reinforcing an efficient multilateral global governance with the aim of strengthening democracy, good governance, the rule of law and human rights; emphasises that the CSDP is a key instrument for crisis prevention and resolution;

25. Calls on the EU institutions and Member States to pursue the comprehensive / joined-up / integral approach in their external action and to take account of the inextricable link between internal and external security; in this regard, calls on the EU to develop synergies between security, development, trade, human rights, democracy promotion activities and EU external action, and to make these policies part of its global strategy; emphasises the need to ensure that EU action in the area of trade also helps to achieve objectives relating to non-proliferation, the promotion of peace and the safeguarding of human rights;

26. Recalls the significant and growing role that energy security will play in EU internal development and its relations with local, regional and international partners; calls for swift and full implementation of the five pillars of the Energy Union; believes that it is in the strategic interest of the EU to endow the Commission with a prerogative to co-negotiate and co-sign all contracts on energy supplies from, and production in, third countries;

27. Highlights the need for a political will in the Member States to show greater flexibility on CSDP issues in order to create genuine momentum in this area; supports the establishment of the Council of Defence Ministers format, as well as regular European Council meetings on defence; urges willing Member States to establish a Permanent Structured Cooperation in Defence (PESCO); stresses, in this regard, the need to overcome structural limitations related in particular to needs assessment, capabilities (civilian and military) and common financing; believes that the use of PESCO and of Article 44 TEU represent the institutional methods best suited to moving this common policy forward in a realistic manner;

28. Supports the principle that EU Member States should commit to using at least 2 % of their GDP for defence expenditure by 2024 in order to attain the necessary and adequate civilian and military capabilities to implement the objectives of the CFSP/CSDP, while enhancing economies of scale through co-development and cooperation and reducing disparities among Member States;

29. Emphasises that enhancing cooperation with global and regional actors on global threats and challenges is necessary in order to achieve a global rules-based order; believes that pairing up on specific sectoral issues with interested regional actors allows European values to be shared and contributes to growth and development; recalls that global threats often have local causes and that, as a result, their solution requires the involvement of local actors; notes that establishing closer relationships with non-state actors, local and regional governments and civil society is also crucial to ensuring a comprehensive approach to global challenges such as climate change and terrorism, and that the way the EU builds and defines partnerships needs to be reviewed in order to enhance partners' sense of ownership and further incorporate a multi-stakeholder approach;

30. Believes that engagement with key global and regional actors — states, organisations and institutions — must be based on the fundamental principles and strategic interests of the Union, respect for international law, and identified common objectives and interests, taking into account their strategic weight and their potential contribution to addressing global threats and challenges; believes that strategic connectivity projects can play a vital role in building strong and stable relations with Europe's key partners;

31. Calls for stepped-up engagement with regional powers and frameworks in pursuit of sustainable synergies on peace, security, conflict prevention and crisis management, and for reinforced support to countries that are under severe pressure from regional crises, including engagement in building resilient and stable institutions and an inclusive society for leveraging trade and sectoral agreements to promote security, stability and prosperity, and pursuing comprehensive regional strategies;

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32. Deplores the fact that autocratic and repressive regimes are increasingly successful with regard to their ability to undermine or thwart human rights, development, democracy and the development of an active civil society; urges the VP/HR to address this negative global trend in the context of the Global Strategy;

33. Notes that the Union's prosperity is determined by its capacity to stay innovative and competitive and to profit from a high-paced global economy; considers that the EU must use all its policy tools in a coherent manner to create favourable external conditions for the sustainable growth of the European economy; considers that the EU must be an engaged and active actor, promoting free and fair trade and investment, secure trade channels and increased market access throughout the world, and safeguarding the stability of the global financial system by promoting high standards of regulation and governance;

34. Notes that in order to attain the above objectives, the EU must reinforce its cooperation with a reformed UN and position itself to influence and steer action in the global fora on the governance of those domains where EU strategic interests and security unfold, and must deepen its partnerships with other global and regional actors, revitalise its strategic partnerships and transform these into effective policy tools, including its partnerships with non-state actors; considers that the EU must also strengthen European diplomacy, enhance its operational capacities to prevent conflict, support democracy and peace, manage crises and build alliances through mediation and dialogue, and promote and empower civil society; encourages deeper cooperation between the EU and the UN and between the EU and the AU in Peace Support Operations; stresses that approaches to conflict-solving should be embedded as much as possible in multilateral agreed solutions, with due respect for the multiple dimensions such interventions need to cover in the fields of peacekeeping and enforcing, sustainable development, tackling root causes of migration and respect for human rights;

35. Draws attention to the key role which the Union plays in the area of development aid, and calls on the Member States to honour their undertakings to earmark 0,7 % of their GDP for public development aid; calls on the EU to foster a more pragmatic approach to aid by encouraging the use of budgetary support; calls on the Member States to do everything in their power to achieve the sustainable development objectives;

36. Stresses that development is not possible without security, and security is not possible without development; points out that EU development policy therefore needs to be an essential part of the EU Global Strategy on Foreign and Security Policy;

37. Welcomes the aim of the new EU Global Strategy on Foreign and Security Policy to be comprehensive, enhance coherence between internal and external policies and improve coordination between institutions and with Member States; recalls the Treaty obligation to respect the principle of Policy Coherence for Development (PCD) and to avoid any contradictions between development and non-development policies that have an impact on developing countries; calls on the Member States and the Commission therefore to establish and consolidate systems of coordination between their respective ministries and among the whole College of Commissioners respectively, and to further involve national parliaments in the PCD agenda, and calls for the EU to reinforce a coordination mechanism for identifying the potential implications of policies on development objectives, integrating development aspects into policy initiatives from the outset and introducing a more systematic measurement of impacts and progress as regards PCD; calls in this regard for the establishment of effective remedies for victims in cases where domestic jurisdiction is clearly unable to deal with policies implemented by any foreign entity;

38. Welcomes the fact that the link between peace and development has been duly reflected in the new Agenda 2030 and, as a result, Sustainable Development Goal (SDG) 16 on peace and justice was introduced; calls for the EU and the Member States to prioritise, inter alia, activities related to fulfilling SDG 16 (human rights, good governance, peace and democracy building) and to ensure that these are among the focal sectors of National Indicative Programmes (NIP) within development cooperation programming;

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39. Calls for a revision of the European consensus on development as an important contribution to an updated, coherent global EU strategy; underlines that such a revision should take into consideration new global challenges, address the EU's implementation of the Sustainable Development Goals and reiterate underlying values such as respect for human rights, paying special attention to the rights of vulnerable groups such as girls, women, and people with disabilities, democracy, and the rule of law, but also key development effectiveness principles such as ownership of development strategies by partner countries, enhanced accountability as regards partner countries' national systems, and differentiation based on needs, but also performance criteria based on sustainable development objectives; stresses that the European Union should do its utmost to strengthen the complementarity between all development actors in order to exploit the full potential of European development policy and thus accelerate the implementation of the development agenda for 2030;

40. Notes with concern the increase in debt unsustainability both in developed and developing countries; calls on the Commission to enhance the principle of common responsibility of borrowers and lenders, and to effectively follow and promote the UN Conference on Trade and Development (UNCTAD) principles on responsible borrowing and lending in all its policy areas; calls, in this regard, for the EU and its Member States to engage constructively with the UN's work towards a sovereign debt workout international mechanism;

41. Considers it regrettable that a regulatory framework on the way corporations comply with human rights and obligations with respect to social and environmental standards is still lacking, which allows certain states and companies to circumvent them with impunity; calls for the EU and the Member States to engage actively with the work of the UN Human Rights Council and of the UN Environment Programme on an international treaty to hold transnational corporations accountable for human rights abuses and violations of environmental standards;

42. Supports the idea of redefining the EU's relationship with the African, Caribbean and Pacific countries by enhancing an equal partners policy, respecting the democratic policy space of sovereign countries' governments to take policy decisions to the benefit of their populations and upgrading the principle of good governance and human rights as essential elements of the post-Cotonou agreement and by effectively enhancing links between EU development objectives on trade, security, climate change and migration policies for mutual reinforcement; calls for the putting in place of formal scrutiny powers in relation to the European Development Fund, possibly through a binding interinstitutional agreement under Article 295 of the Lisbon Treaty; calls for a fair and ambitious post-2020 EU-ACP partnership based on the principles of ownership and mutual respect between partners with equal rights and obligations that better focuses on common challenges and interests and that is better adapted to make a real change to the wills of both parties and the challenges they face; calls for the European Union to promote instruments for trade with the ACP countries, in particular Economic Partnership Agreements (EPAs), in order to make a real change to the security and prosperity of both parties;

43. Emphasises that the EU must continue and reinforce its efforts to promote economic development and resilience in its neighbourhood and in regions that are critical to EU interests; recalls that small and medium-sized enterprises are the prime suppliers of jobs and that facilitating their work is thus crucial to foster economic development;

44. Calls on the VP/HR, the Commission and the Member States to establish a clear link between the EU Global Strategy and the structure and priorities of the EU budget, including enhanced own resources, to allocate the necessary resources for its implementation and to make the best possible use of existing budgets through better cooperation and coordinated action in the fields of diplomacy, development, trade, energy and defence;

#### ***Engage — the EU, national parliaments and European citizens***

45. Emphasises that the Global Strategy should be revised every five years, in synchrony with the new European Parliament and the new Commission, which would allow verification of whether its objectives and priorities still fitted the threats and security environment and enable the new VP/HR to engage in a revision;

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46. Emphasises that EU actions are subject to oversight by the European Parliament and national parliaments and that the European Parliament plays a key role in the regular, detailed monitoring of the external action of the EU institutions and considers that the national parliaments could be more closely involved in this monitoring exercise; recalls that the European Parliament is a key partner of the VP/HR in shaping the EU's external relations and addressing the current challenges, including by monitoring EU foreign policy actions; calls for annual implementation reports of the strategy to be submitted to the European Parliament;

47. Takes the view that Parliament should play its full role within EU efforts to prevent conflict;

48. Emphasises the importance of actively involving national parliaments in the process by means of more thorough joint scrutiny with the European Parliament during the sessions of the Inter-Parliamentary Conference on CFSP/CSDP;

49. Strongly urges European policy-makers to engage with citizens, civil society, industry, and local and regional authorities on the necessity and benefits of providing a stronger framework for Europe's security;

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50. Instructs its President to forward this resolution to the Council, the Commission and the European External Action Service.

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P8\_TA(2016)0121

**Implementation and review of the EU-Central Asia Strategy****European Parliament resolution of 13 April 2016 on implementation and review of the EU-Central Asia Strategy (2015/2220(INI))**

(2018/C 058/13)

*The European Parliament,*

- having regard to the fourth progress report of 13 January 2015 on the implementation of the EU Strategy for Central Asia adopted in 2007,
- having regard to the Council conclusions on the EU Strategy for Central Asia as adopted by the Foreign Affairs Council on 22 June 2015,
- having regard to the commitments announced at the EU-Central Asian ministerial meeting held in Brussels on 20 November 2013,
- having regard to the Joint Communiqué of the Fifth EU-Central Asia High-level Conference on Energy and Water Cooperation held in Milan on 12 and 13 October 2015,
- having regard to the results of the OSCE Human Dimension Implementation Meeting held in Warsaw from 21 September to 2 October 2015,
- having regard to the Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan launched in Turkey in 2011, and the 'Heart of Asia' ministerial conference held in Kabul on 14 June 2012 aiming at its enforcement,
- having regard to the Committee on Foreign Affairs' support and positive evaluation in respect of the newly appointed EU Special Representative for Central Asia, Peter Burian, at its hearing on 1 June 2015,
- having regard to its previous resolutions on the region, in particular those of 20 February 2008 on an EU Strategy for Central Asia <sup>(1)</sup> and 15 December 2011 on the state of implementation of the EU Strategy for Central Asia <sup>(2)</sup>,
- having regard to its resolution of 29 April 2015 on the Court of Auditors' special reports in the context of the 2013 Commission discharge <sup>(3)</sup>, and in particular part II of the Special Report No 13/2013 of the Court of Auditors entitled 'EU Development Assistance to Central Asia',
- having regard to its resolution of 29 April 2015 with observations forming an integral part of the decisions on discharge in respect of the implementation of the general budget of the European Union for the financial year 2013, Section III — Commission and executive agencies <sup>(4)</sup>, and in particular to paragraph 240 thereof,
- having regard to its resolution of 12 June 2012 on 'Engaging in energy policy cooperation with partners beyond our borders: A strategic approach to secure, sustainable and competitive energy supply' <sup>(5)</sup>,

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<sup>(1)</sup> OJ C 184 E, 6.8.2009, p. 49.

<sup>(2)</sup> OJ C 168 E, 14.6.2013, p. 91.

<sup>(3)</sup> OJ L 255, 30.9.2015, p. 68.

<sup>(4)</sup> OJ L 255, 30.9.2015, p. 27.

<sup>(5)</sup> OJ C 332 E, 15.11.2013, p. 28.

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- having regard to its resolution of 22 November 2012 on the role of the Common Security and Defence Policy in case of climate-driven crises and natural disasters <sup>(1)</sup>,
- having regard to its resolution of 13 March 2014 on EU priorities for the 25th session of the UN Human Rights Council <sup>(2)</sup>,
- having regard to its resolution of 13 December 2012 on the review of the EU's human rights strategy <sup>(3)</sup>,
- having regard to its resolution of 13 December 2012 on the annual report on Human Rights and Democracy in the World 2011 and the European Union's policy on the matter <sup>(4)</sup>,
- having regard to its resolution of 17 June 2010 on EU policies in favour of human rights defenders <sup>(5)</sup>,
- having regard to its resolution of 8 September 2015 on human rights and technology: the impact of intrusion and surveillance systems on human rights in third countries <sup>(6)</sup>,
- having regard to its resolution of 11 December 2012 on a Digital Freedom Strategy in EU Foreign Policy <sup>(7)</sup>,
- having regard to its resolution of 11 November 2010 on 'Strengthening the OSCE — a role of the EU' <sup>(8)</sup>,
- having regard to its resolution of 22 November 2012 containing its recommendations to the Council, the Commission and the European External Action Service on the negotiations for an EU-Kazakhstan enhanced partnership and cooperation agreement <sup>(9)</sup>,
- having regard to its resolution of 15 March 2012 on Kazakhstan <sup>(10)</sup>,
- having regard to its resolution of 18 April 2013 on the human rights situation in Kazakhstan <sup>(11)</sup>,
- having regard to its resolution of 15 January 2015 on 'Kyrgyzstan, homosexual propaganda bill' <sup>(12)</sup>,
- having regard to its position of 22 October 2013 on the Council position at first reading with a view to the adoption of a decision of the European Parliament and of the Council providing macrofinancial assistance to the Kyrgyz Republic <sup>(13)</sup>,

<sup>(1)</sup> OJ C 419, 16.12.2015, p. 153.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0252.

<sup>(3)</sup> OJ C 434, 23.12.2015, p. 111.

<sup>(4)</sup> OJ C 434, 23.12.2015, p. 87.

<sup>(5)</sup> OJ C 236 E, 12.8.2011, p. 69.

<sup>(6)</sup> Texts adopted, P8\_TA(2015)0288.

<sup>(7)</sup> OJ C 434, 23.12.2015, p. 24.

<sup>(8)</sup> OJ C 74 E, 13.3.2012, p. 12.

<sup>(9)</sup> OJ C 419, 16.12.2015, p. 159.

<sup>(10)</sup> OJ C 251 E, 31.8.2013, p. 93.

<sup>(11)</sup> OJ C 45, 5.2.2016, p. 85.

<sup>(12)</sup> Texts adopted, P8\_TA(2015)0008.

<sup>(13)</sup> Texts adopted, P7\_TA(2013)0426.

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- having regard to its resolution of 8 July 2010 on the situation in Kyrgyzstan <sup>(1)</sup>,
  - having regard to its resolution of 6 May 2010 on the situation in Kyrgyzstan <sup>(2)</sup>,
  - having regard to its resolution of 17 September 2009 on the conclusion of a Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part <sup>(3)</sup>,
  - having regard to its resolution of 23 October 2014 on human rights in Uzbekistan <sup>(4)</sup>,
  - having regard to its resolution of 15 December 2011 on the draft Council decision on the conclusion of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, amending the Agreement in order to extend the provisions of the Agreement to bilateral trade in textiles, taking account of the expiry of the bilateral textiles Agreement <sup>(5)</sup>,
  - having regard to its resolution of 14 March 2013 on EU-China relations <sup>(6)</sup>,
  - having regard to the Action Plan on Human Rights and Democracy 2015-2019, adopted by the Council on 20 July 2015,
  - having regard to the EU Human Rights Guidelines on Freedom of Expression Online and Offline, adopted by the Council (Foreign Affairs) on 12 May 2014,
  - having regard to United Nations General Assembly Resolution A/RES/53/144, 'Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms', better known as 'The Declaration on Human Rights Defenders',
  - having regard to the ongoing reviews of the EU Global Strategy for foreign and security policy and of the European Neighbourhood Policy,
  - having regard to Article 21 of the TEU,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development, the Committee on International Trade and the Committee on Women's Rights and Gender Equality (A8-0051/2016),
- A. whereas the EU-Central Asia Strategy was adopted in a context of growing importance of the region and increased EU engagement in neighbouring Afghanistan, the extension of the European Neighbourhood Policy to the Caspian region, ongoing EU support for reform and modernisation of post-Soviet societies, and EU energy security interests; whereas it also recognised the security threats and challenges that require greater cooperation between Central Asia and the EU as well as its Member States; whereas the Strategy has been implemented for almost 8 years;
- B. whereas despite its common past Central Asia is a heterogeneous region with a multiethnic and multi-denominational character; whereas the lack of mutual trust and persisting tension over the use and sharing of natural resources have so far undermined the development of a genuine regional cooperation;

<sup>(1)</sup> OJ C 351 E, 2.12.2011, p. 92.

<sup>(2)</sup> OJ C 81 E, 15.3.2011, p. 80.

<sup>(3)</sup> OJ C 224 E, 19.8.2010, p. 12.

<sup>(4)</sup> Texts adopted, P8\_TA(2014)0040.

<sup>(5)</sup> OJ C 168 E, 14.6.2013, p. 195.

<sup>(6)</sup> OJ C 36, 29.1.2016, p. 126.

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- C. whereas respect for democracy, the rule of law and human rights is a basic condition for deeper cooperation between the EU and the five countries of Central Asia in areas of mutual interest, under the very meaning of the term 'partnership' as vested in the Partnership Cooperation Agreements; whereas the overall situation of democracy and human rights in the region remains to various degrees poor and worrying;
- D. whereas serious failings in the rule of law and in respect for human rights and fundamental freedoms hamper the Central Asian countries' chances of sustainable development and good governance, to the detriment of their societies;
- E. whereas trade and energy links enhance EU-Central Asia relations and promote common values such as the rule of law, good governance and respect for human rights; whereas the GSP system aims at the diversification of the Central Asian economies;
- F. whereas some Member States have developed and deepened bilateral relations with some of the countries of Central Asia; whereas the EU needs a coherent and consistent approach towards the region in order to avoid any overlapping or sending out mixed and confusing signals;
- G. whereas EU development aid to Central Asia, mainly under the Development Cooperation Instrument (DCI), has been increased to EUR 1 billion in 2014-2020, i.e. by 56 % compared to the programming period 2007- 2013;
- H. whereas the European Instrument for Democracy and Human Rights (EIDHR) represents an important financing tool aiming to support civil society organisations and democratisation;
- I. whereas the region is increasingly affected by religious fanaticism, reflected in the support for IS/Da'esh, Al Qaeda in Afghanistan and Hizb-ut-Tahrir, and a large number of people have left to join IS/Da'esh in Syria and Iraq;
- J. whereas the region is an important transit route for drugs between Afghanistan and Russia and certain local clans are involved in this lucrative trade, which allows them to exert significant political influence owing to corruption and a mingling of interests;
- K. whereas education has a crucial role to play in fostering the stable, secure and sustainable development of the region;
- L. whereas in June 2015 the Foreign Affairs Council reiterated its commitment to promoting the rights of women and concluded that the empowerment of women in the region is an essential element for longer-term stability and good governance;
- M. whereas the Central Asian countries must improve the legal and administrative provisions of their asylum policy, and whereas regional consultative processes, such as the Almaty Process coordinated by the UNHCR and the IOM, may contribute to this;
- N. whereas the effects of global warming on Central Asia are still largely unknown, but it is already clear that the problems of water supply in the low-lying countries will become even worse;
- O. whereas Russia and China have strong ties with and influence in the region, but there is still great scope for the EU to enhance its action and cooperation with Central Asian countries;



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- P. recalling that various regional partnerships, such as the Collective Security Treaty Organisation (CSTO), the Shanghai Cooperation Organisation (SCO) and the Eurasian Economic Union (EEU), include several Central Asian countries among their members while being dominated by Russia and/or China;
- Q. whereas the region has been integrated in the 'One Belt, One Road' initiative, and in particular the 'New Silk Road Economic Belt', enhancing its strategic importance;
- R. whereas the Central Asia region, while consisting of the Central Asian republics of the former Soviet Union, is also significantly influenced by Russia, China, Mongolia, Iran and Afghanistan;

### ***General provisions on EU commitments***

1. Stresses the strong strategic, political and economic interest of the EU in strengthening its bilateral and multilateral relations with all the Central Asian countries, on the basis of common shared values as stated in the existing Partnership and Cooperation Agreements between the EU and Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan and in the agreement — albeit not yet in force — with Turkmenistan;
2. Reiterates the EU's strong interest in a prosperous, peaceful, democratic, stable, and inclusive Central Asia that functions as an economically and environmentally sustainable region, as stated in the strategy of 2007;
3. Points out that the strategic approach adopted to date to shaping relations with Central Asian countries has demonstrated only limited viability and success; recognises that economic relations between the EU and the Central Asia Strategy's target countries have seen no relevant expansion, that the aim of promoting regional cooperation and integration between Central Asian countries by means of exchange of experience and transfer of standards on the part of the EU has stalled;
4. Believes that any considerable progress in the areas referred to in this resolution is yet to be achieved, but expresses the hope that the parties involved, namely both the EU and its Member States and the five Central Asian countries, will make serious efforts to achieve the aims and goals laid down in the official documents and treaties which form the legal basis for the Union's bilateral and multilateral relations with, respectively, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan;
5. Welcomes the review of the EU-Central Asia Strategy conducted by the EEAS, the Commission and the Council in 2015; takes the view, nevertheless, that the priorities, objectives and targets should be aligned more specifically to the interests, requirements and framework conditions of the Central Asian partner states, taking account of the differences between the countries of the region and of the uniqueness of each, and should therefore be more precisely defined through individual, tailor-made country action plans, and accompanied by benchmarks and indicators with a reasonable timeframe for completion, in order to adapt these action plans more flexibly to the framework conditions in the region, as quickly as possible;
6. Agrees that the strategy adopted in 2007 and the long-term priority areas defined therein (respect for human rights and the rule of law, good governance and democratisation; youth and education; economic development, trade and investment; energy and transport; environmental sustainability and water; common security threats and challenges; and intercultural dialogue) remain relevant and necessary for a concrete European engagement in the region, in line with the objectives set in the EU strategy; welcomes, however, the more focused approach of the strategy review;
7. Takes positive note of the rather ambitious strategy review; ad concurs with the Council's designation of the region as strategically important, and accordingly agrees to strengthen effective cooperation regarding political, diplomatic and trade relations and to support a genuine democratic transition; in this context, welcomes the 56 % increase in and more specific focusing of EU development assistance to the region for the period 2014-2020 as compared with the previous period;

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8. Welcomes the fact that the review was discussed at the EU-Central Asia ministerial meeting held on 21 December 2015 in Astana; supports holding an EU-Central Asia summit, to promote the EU's objectives in the region and address matters of concern and cooperation;
9. Shares the view that a differentiated, conditional and incentive-based approach should be applied in order to achieve better results both bilaterally and regionally; believes that regional programmes, such as those for border management, for fighting drugs and trafficking, and for transport and energy, should be tailored so as to target interested parties, including countries of the wider region such as Afghanistan, Iran, Mongolia or Azerbaijan;
10. Calls for the EU to cooperate more intensively on an ad hoc basis with those Central Asian countries that wish to go beyond the EU Strategy for Central Asia;
11. Stresses that enhanced regional cooperation would improve the economic and security situation in the region; given the fact that Central Asia has weak interregional links, invites the EEAS and the Commission to develop projects that would foster such cooperation for those countries interested in enhancing those links;
12. Underlines that the disbursement of EU funds should be clearly incentive- and performance-based, taking account of achievements in regard to a number of benchmarks to be established for each country, and depending on measurable progress with regard, in particular, to the fields of democratisation, preventing and fighting corruption, free and fair elections, human rights, ending drug trafficking, respect for labour rules, good governance, the rule of law, development, human security and good neighbourly relations;
13. Agrees that concrete and constructive engagement and adoption of democratic reforms and governmental programmes can be taken as contributing indicators of achievement in numerous fields; nonetheless urges the Commission and the EEAS to base their assessments on facts established on the ground;
14. Reiterates the need for higher political visibility for the EU in the Central Asia region; urges the EU and its Member States to speak with one voice, without bilateral negotiations that often weaken human rights requirements and fostering foreign policy coherence and coordination in the region, and together to introduce joint programming of aid and projects with Member States in order to achieve a full impact and synergy; urges the Council/EEAS/Commission to adopt a concrete action plan with measurable benchmarks enabling proper evaluation of progress made in the future; welcomes closer involvement and ownership on the part of Member States in terms of implementing the strategy;
15. Welcomes the re-establishment of the post of EU Special Representative (EUSR) for Central Asia after a year-long gap, and expects that the newly appointed EUSR will make an important contribution to the implementation of the strategy for and to shaping relations with the Central Asian countries, by ensuring consistency of the external actions of the Union in the region and communicating the EU's positions to political leaders and societies in Central Asia;
16. Requests the EUSR to focus on strengthening democracy, the rule of law, good governance and respect for human rights and fundamental freedoms, promoting regional cooperation and facilitating dialogue and the peaceful resolution of outstanding contentious issues, developing contacts not only with governments and parliaments but also with civil society and the media, contributing to conflict prevention and promoting regional security, and promoting sound environmental and climate change management, particularly in relation to water and hydrocarbon resources; asks the EUSR to report orally and in writing to Parliament on the major challenges, pursuant to Article 36 of the Treaty on European Union and to the Representative's mandate;
17. Requests the EEAS, the Commission and the EUSR to make the EU's presence more prominent in Central Asia, ensuring greater visibility for the EU among the population, civil society, local media, and the business and university communities; urges the EEAS to balance quiet diplomacy with increased public diplomacy;

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18. Requests the EEAS to provide regular analysis on Central Asia, taking account of the region's diverse neighbourhood and including issues touching on integrating Afghanistan and Iran and offering a comprehensive approach to the Caspian Sea;

19. Calls on the Commission to ensure synergies, coherence and consistency between the measures taken by international organisations such as the OSCE, the UN Office on Drugs and Crime (UNODC), the UNHCR and the International Organisation for Migration (IOM), as well as between the various EU external financing instruments deployed in the region, such as the DCI, the Instrument contributing to Stability and Peace (ISP), the EIDHR and the Partnership Instrument (PI), as well as to step up coordination with the EBRD and the EIB;

20. Calls on the EU to cooperate with the aid and development projects of the US in the fields of environment, education and climate policy, in order to improve effectiveness and to jointly reach a wider public;

21. Calls for closer cooperation between the EU and the OSCE on Central Asia, especially in the fields of human rights, democratisation and security, with the aim of joining and complementing, where appropriate, their efforts in the region;

22. Encourages the EU delegations in Central Asia to use their potential to maximal effect in contributing to implementation of the EU Strategy, in particular with regard to support for and engagement with civil society;

23. Supports continued interparliamentary cooperation, and highlights the role of its standing delegation for relations with the region in monitoring the implementation of PCAs with the countries of the region;

#### ***Democratisation, human rights and the rule of law***

24. Urges the Council, the EEAS and the Commission to attach great importance to and engage proactively with the promotion and reinforcement of democracy, the enforcement of civil, political and human rights, including those social rights codified in the UN's Social Covenant, the establishment of the rule of law, and good governance and administrative action in the Central Asian countries, thereby laying the foundations for security and stability, for establishing open societies in the countries in question, and, as a result, for providing best practices for facing external and internal political, security and economic pressures and challenges;

25. Stresses that respect for human rights and democracy must be at the core of the EU strategy vis-a-vis the scope of cooperation envisaged in the PCAs, entailing the application of the human rights and democracy clause; regrets that the legal obligations vested in the PCAs for upholding democracy and the rule of law have not been properly implemented, with the exception of some progress made in Kyrgyzstan;

26. Regrets that overall respect for democratic standards, human rights and fundamental freedoms has not yet reached an acceptable level; regrets that the human rights situation overall remains worrying, but stresses that there have nevertheless been limited positive developments in some countries of the region, including legislative reforms, increased efforts to prevent torture, and steps towards eliminating child labour and forced labour;

27. Highlights the added value and further potential of the Rule of Law Platform, coordinated by Germany and France with active support from Finland and Latvia, in organising several events related to constitutional and administrative law and the training of judges; encourages other Member States to take a more proactive role in this respect; insists, however, that the platform be enhanced to cover actual democratisation and human rights issues; calls for the full involvement of and closer cooperation with civil society in relation to this platform; calls on the EU and Member States' embassies to support genuinely independent non-governmental partners;

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28. Draws attention to the discrepancies existing between the adoption of laws and their implementation in practice, resulting in incorrect assessment of progress; urges the EEAS/Commission to evaluate progress on the basis of real practical results, rather than assessments based on legislation and declarations;

29. Recommends that the EU tailors its human rights policy and external financing instruments better, keeping a consistent long-term democratic reform as the guiding light;

30. Strongly condemns the continued persecution of human rights defenders, opposition political figures and journalists in Turkmenistan, Uzbekistan, Tajikistan, Kazakhstan, and Kyrgyzstan, and calls on the EEAS to use all means at its disposal to act swiftly in their defence;

31. Condemns the targeting of exiled opposition representatives by some of the Central Asian regimes, including murders and abuse of extradition procedures through Interpol; urges Member States to provide better protection and to avoid deporting them in line with the principle of non-refoulement, which forbids the rendering of genuine victims of persecution to their persecutor;

32. Urges the EEAS, in this regard, to make forthright declarations condemning repressive steps taken by Central Asian regimes in the name of preserving public security, whilst recognising legitimate security concerns;

33. Calls on the Council, the EEAS and the Commission, in the course of the further development of relations, to urge the Central Asian partners to ratify the Rome Statute of the International Criminal Court as soon as possible, and to approve and implement the ILO's essential core standards and other ILO rules that remain outstanding;

34. Understands the risk to security posed by returning foreign fighters who have been fighting alongside Da'esh, but expresses its deep concern at the growing trend towards clampdown on civil society and opposition parties on the pretext of security and stability, which it does not consider in any case to be a suitable response to this threat, including through doubtful charges of terrorist activity or vague accusations of inciting social hatred, the adoption of so-called 'foreign agents laws' which stigmatise and limit the activities of legitimate NGOs that receive foreign funding, and the increased use of monitoring, surveillance, censoring and filtering technologies; reminds the partner countries that a fully functioning democracy must observe freedom of expression and media plurality; stresses in this context that the suppression of free expression of opinion is in no way contributing to sustained internal stability; stresses that the relevant EU tools, such as the conducting of regular seminars with the general public and increased exchanges, should contribute to strengthening the position of the public, and that many of the communities concerned are more inclined at present to rely on relationships between groups and clans or networks controlled by the ruling elite;

35. Calls on the countries of the region to consider the presence of international NGOs not as a threat but as a benefit to society, and to grant them full access to prison facilities in order to improve the transparency of the enforcement of penalties, particularly in relation to cooperation with all UN agencies and the International Red Cross;

36. Is concerned at the increasing number of laws in the countries of the region restricting freedom of the media, freedom of expression, and freedom of assembly and association, and targeted on civil society funding (the 'foreign agents laws'), and the LGBTI community (the 'LGBTI propaganda laws'); considers that in this context, in addition to promoting the freedoms mentioned, the EU must also make it a priority to promote freedom of religion and belief and the rights of women, minors and minorities;

37. Calls on the authorities to make further efforts to protect ethnic and religious minorities and LGBTI persons in Central Asian societies, to end discrimination against them, and to enforce the rights of vulnerable people, in particular of persons with disabilities;

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38. Recalls that the protection and promotion of children's rights is among the key objectives of the EU, and calls on the authorities to support its implementation in compliance with international law and standards, in particular the UN Convention on the Rights of the Child;

39. Welcomes the establishment of Human Rights Dialogues with all five countries of Central Asia; points out, however, the lack of transparency of the process, and calls on the VP/HR to review the role, mandate, objectives and follow-up of the Human Rights Dialogues with the countries of the region, and in particular to involve all stakeholders, including Islamic reformist political movements which are opposed to extremism, and to introduce systematic human rights monitoring mechanisms, as well as contingency plans to improve those mechanisms' effectiveness should they reveal serious shortcomings; notes that the Human Rights Dialogues are important tools of engagement on the part of the EU with the Central Asian countries, enabling the implementation of smart strategies, and therefore should be used adequately; calls for these dialogues to be part of a comprehensive human rights engagement in the region; calls, in this regard, for human rights concerns to be raised and conveyed at all levels, including that of heads of state and government; urges the EU to raise individual concrete cases coherently and publicly;

40. Stresses the importance of the Universal Periodic Review mechanism of the UN Human Rights Council in effectively implementing protection for human rights, the democratisation process and the rule of law in Turkmenistan, Uzbekistan, Tajikistan, Kazakhstan and Kyrgyzstan;

41. Reminds the Central Asian governments of their commitments within the human dimension of the OSCE;

42. Welcomes UN Secretary-General Ban Ki-moon's statements warning against a shrinking democratic space during his visit to the region in June 2015;

43. Notes that there is practically no coordination between EU and US actions in Central Asia; encourages establishing more practical cooperation links; believes that joint action can be beneficial, especially in such fields as human security and human rights promotion;

### ***Women's rights and gender equality***

44. Recognises that, while Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan face separate challenges in advancing human rights, the region faces common challenges as regards addressing and promoting women's rights and gender equality;

45. Notes that, despite all five Central Asian countries having ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), their culture remains patriarchal and male-dominated, that significant inequalities still exist between men and women in many areas, including as regards access to higher education, parts of the labour market and legal protection and rights, and that violence against women is still widespread in many parts of Central Asia and takes many forms, including domestic violence, bride-kidnapping, trafficking, early marriage and physical abuse; calls on the five countries to fully implement the CEDAW; reiterates that the support given by the EU must include specific measures to eradicate discrimination against women;

46. Notes that women play a full and crucial role in agricultural production and farming across all the Central Asian countries, with the average share of women employed in the agricultural sector standing at 58 % <sup>(1)</sup>; calls on all the Central Asian countries to encourage the employment of women and female entrepreneurship, particularly in rural areas; calls for the economic and social rights and empowerment of girls and women to be promoted and monitored, as a key objective of the EU's relations with the region;

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<sup>(1)</sup> World Bank statistics 2012.

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47. Recognises the steps taken by individual Central Asian countries to improve gender equality, such as the amendments to Articles 154 and 155 of Kyrgyzstan's Criminal Code, which came into force in February 2014 and toughened the penalty for the widely practiced custom of bride-kidnapping; notes, however, that the protection of women's rights and the promotion of gender equality across the region still remain a challenge; asks the Commission to further support the Central Asian countries in developing their women's rights agendas with a view to developing and achieving gender equality and ensuring that everyone, including the most vulnerable members of society, can fully enjoy their human rights;

48. Welcomes Kazakhstan's Gender Equality Strategy and the 45 political, social and economic measures contained therein; asks the Commission to further support the Central Asian countries in developing their women's rights agendas, and calls for more effective implementation of this strategy; regrets the lack of female representation in Kazakh public decision-making bodies, despite a 30 % quota being legally required in political institutions;

49. Asks the EEAS, within the review of its Central Asia Strategy and in line with its priorities for 2016-2020 and the progress already made by Central Asian countries, to establish a comprehensive Gender Equality Action Plan, with concrete actions to improve women's rights and women's living conditions; considers that every Central Asian country should be encouraged to enact legislation which explicitly prohibits all forms of violence and discrimination against women, including sexual, physical, physiological and economic abuse, that prevent them from working or from accessing bank accounts, credit cards or transportation, among other isolating tactics; points out that financial security is the number one predictor of whether or not a victim of domestic violence will break free and remain free from further abuse; calls on the Central Asian countries to treat violence against women as a criminal offence, to properly investigate all reported cases and to implement measures to guarantee protection, assistance and access to justice for victims, together with mechanisms to ensure the enforcement of the law; notes that the marriage agency industry is relatively significant in Central Asia and asks that countries in the region consider regulating these agencies so as to best protect vulnerable women from exploitation; calls on the Central Asian countries to organise education campaigns about the right to live free from violence and awareness-raising initiatives for society as a whole, and especially religious leaders, about the absolute requirement to obtain the consent of both parties to marriage ceremonies;

50. Notes that there is a gap between the law and reality and that, while some countries have a legal code guaranteeing equal rights with regard to the distribution of property, discrimination still persists in favour of male heirs; is concerned that the lack of legal registration of marriages in Tajikistan leaves women in a particularly vulnerable position after a divorce, given that OSCE research has shown that, because of this, 80 % of women in divorce cases are denied property rights and child support;

51. Urges the EU to support civil society organisations working to defend human rights and promote gender equality in Central Asian countries, and to cooperate actively with international organisations involved in the field of gender equality, for example the ILO, the OECD, and the UN, with a view to creating synergies serving to empower women;

52. Notes that women are poorly represented in ministerial posts, accounting in 2015 for 15 % and 5,7 % of such posts respectively in Kyrgyzstan and Turkmenistan <sup>(1)</sup>; encourages the Central Asian countries and the Commission to focus also on women's involvement in decision-making, in particular in the political sphere, and recommends that a quota system be introduced to promote women's participation, above all as candidates for office;

53. Calls on the Central Asian countries to promote equal access to information and communication technologies in order to ensure women's potential for stimulating growth in local and global economies;

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<sup>(1)</sup> World Bank statistics for the five-year period 2011-2015.

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54. Recommends that judicial personnel be made aware of and trained in gender issues, and points to the need to punish persons who commit gender-based violence;

55. Stresses the need to organise training courses on violence against women and trafficking for law enforcement officers, prosecutors and judicial personnel, and to establish accessible centres and shelters offering psychological and legal support for victims;

56. Emphasises the importance of properly funding institutions and bodies responsible for implementing gender equality policies and of ensuring autonomy and funding for civil society organisations working for women's rights;

### ***Education and youth — people-to-people exchanges***

57. Stresses that education is one of the key areas for the EU to deploy its long-term action in Central Asia; considers education to be a crucial pillar of integration and a democratic economic and social development enabler for all the countries of Central Asia; supports the work carried out by the Central Asia Education Platform by means of educational and institutional programmes providing technical support and dialogue through seminars (such as Bishkek 2014); in this regard, welcomes Latvia's initiative to organise the 1st EU-Central Asia ministerial meeting on education and the commitment of Latvia and Poland to lead the regional programme on education, following a disappointing long-term unwillingness of some Member States to do so; calls on the EU and its Member States to actively contribute to the implementation of the respective goals brought forward during the Latvian presidency in the first half of 2015; regards investment in inclusive and quality education as the best way to gradually improve the socio-economic situation of the region;

58. Encourages the Commission to address the identified shortcomings of the EU-Central Asia Education Platform, such as fair access to education, problems related to 'brain drain', and the training of disadvantaged and vulnerable groups, such as girls, children with disabilities and children belonging to minorities;

59. Urges the EU to devote more attention to the promotion of quality education among young people in the Central Asian countries, given the positive effects in terms of social inclusion, social cohesion and stability, and building sustainable democratic societies, and as the best form of prevention against violent extremism and radicalisation among youth in the region; regards this as a priority, given the demographic challenge of a 'youth bulge', with those aged 14 or under making up 25-35 % of the population; asks for more attention to be paid to cross-border projects for intercultural reconciliation and development in the Ferghana Valley;

60. Welcomes the increase in school enrolments at both primary and secondary level, noting the importance of continuing on this path; welcomes the fact that there is near-parity in the numbers of females and males completing primary and secondary school; underlines the importance of women having access to vocational training and university education, particularly in Uzbekistan and Tajikistan, where a significant gap still exists between the numbers of females and males enrolled in tertiary education;

61. Points to the importance of women's access to vocational training and university education, including a greater take-up rate in the fields of science and technology, and urges the EUSR to encourage incentives in this area; considers that the EU should intensify its action in this field, for instance by organising teacher training courses and supplying educational materials; calls for steps to be taken to modernise the public education sector, promote international academic exchanges and enable women to participate on equal terms; considers that gender equality training courses should be devised for education professionals;

62. Considers that the EU's positive role in the region should be advanced via education and people-to-people contacts; recalls the importance of the EU's international exchange programmes, such as Erasmus +, Erasmus Mundus and Erasmus Tempus, in promoting positive mobility and intercultural dialogue between the EU and Central Asia and in providing

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opportunities for empowerment for students benefiting from the programmes, thus bringing the two cultures closer together; commends the fact that the EU has budgeted EUR 115 million for the Erasmus+ educational cooperation programme in the region; calls on all relevant stakeholders, at Union level as well as in the Member States, to evaluate and reinforce the existing mechanisms of the study/scholarships programs and young professionals' exchanges between the EU and the Central Asia region, especially in technology and applied sciences;

63. Welcomes the fact that all five Central Asian countries have been closely following the Bologna process, driving numerous national reforms in recent years;

64. Invites the Commission to promote the participation of Central Asian scientists, institutes and businesses in collaborative research and innovation projects financed under the Horizon 2020 programme;

#### ***Economic integration, trade and sustainable development***

65. Notes the common characteristics resulting from older history, including that of the Silk Routes, colonisation by Turkic tribes and the reception of Islam; notes also that the five countries in the region are at differing stages in their development, i.e.: Kazakhstan is emerging as a key player in the region, with which the EU's relations are progressing steadily; Kyrgyzstan and Tajikistan are much poorer, but relatively open, with a degree of civil society involvement; the EU's relationship with Uzbekistan is also developing; but Turkmenistan remains the most closed country in the region, with no effective independent civil society;

66. Points to the fact that there is also considerable diversity in the region, not least in endowments of natural resources such as fossil fuels and arable land, and — partly as a consequence of this — in the countries' current levels of human and economic development; stresses the importance of taking into account, on the one hand, the cultural differences within the region, and, on the other hand, the interdependency among the countries;

67. Recognises the possible positive impact of a new impulse in economic cooperation between the EU and Central Asia on modernisation and democratisation in the region;

68. Believes that economic diversification in the region provides added value in terms of regional development, stability and security, taking into account social, economic and environmental balance; considers it essential to modernise and develop sustainable domestic transport and energy infrastructure, especially in rural areas, improve access to high-speed internet, and facilitate the development of interregional connectivity; takes the view that environmental rehabilitation and sustainable development should have equal priority in the context of the development of the region, and stresses the importance of trade in promoting both; favours an increase in EU support for resource management in the Central Asian countries and encouraging cross-border cooperation among them;

69. Is concerned at the lack of socio-economic development, which is stalled and uneven, the lack of state transparency and the consequent corruption, poor governance, weak institutional framework, lack of respect for the rule of law and low participation of civil society, encouraging clientelism and exacerbating the problems of corruption and lack of state efficiency;

70. Underlines the growing importance of trade relations between the EU and Central Asia, with the EU now the first trading partner in the region; stresses the need for the EU to further step up trade and investment relations with the Central Asian countries; points out, in this regard, the need for the Central Asian countries to strengthen their efforts in tackling corruption and in promoting a stable environment in order to attract foreign investment;



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71. Is of the opinion that economic and trade relations with the countries of Central Asia must advance hand in hand with, and never at the expense, of the rule of law, democracy, and human rights and fundamental freedoms; recalls, to this end, the importance of activating the provisions laid down in the relevant clauses of the trade agreements signed with the EU should the other contracting party violate human rights;

72. Points out that inclusive and sustainable economic development is among the key priorities of the Strategy; stresses the need for the Central Asian countries to promote active policies aimed at poverty reduction and fighting social exclusion; notes the deep negative impact on the region of the economic slowdown in Russia and China, as well as of the ongoing geopolitical tensions and the conflict in Ukraine; underlines, in this regard, that the deteriorating economic trends arising from falling commodity prices, the devaluation of the rouble and the fall in remittances from migrants in Russia, many of whom are now returning home unemployed, pose serious socio-economic challenges for the region; notes that, against this backdrop, the region's growth rate post-2014 is expected to be roughly half the average rate for the previous ten years;

73. Urges the Commission to develop programmes facilitating the social reintegration and employment of returnees from abroad and a stronger dialogue on migration and mobility;

74. Underlines the need for a EU-Central Asia strategy that is not based on geostrategic interests but is designed to develop a participative and democratic society, characterised by freedom of association for trade unions and an active civil society, and to boost gender equality and the empowerment of women, especially in rural areas;

75. Stresses that, despite rapid economic growth in recent years, the region faces high poverty rates, high income inequality and declining life expectancy, especially in rural areas, where 80-90 % of the population live; stresses that the process of privatisation during the economic transition has, to a large extent, left mountain regions behind; emphasises that women in those regions are particularly affected, as many men migrate to cities in search of employment, leaving women with the entire burden of farm work and family responsibilities;

76. Highlights the importance of making the Strategy consistent with global commitments, in particular with the 2030 Agenda for Sustainable Development, as adopted on 25 September 2015 at the UN Sustainable Development Summit;

77. Encourages the mainstreaming of the Sustainable Development Goals (SDGs) in the EU's development agenda in the region; reiterates that including the SDGs will result in more comprehensive sustainable development in the Central Asia region;

78. Stresses the importance of the EU seizing the opportunity of development cooperation in order to promote respect for human rights and achieve the SDGs, so as to raise levels of trade and investment in all countries in the region and strengthen the role and involvement of the social partners in civil society;

79. Is of the opinion that development aid should be disbursed only in countries with a genuine commitment to the alleviation of poverty, equal and sustainable socio-economic progress and respect for human rights, and that those countries must demonstrate that they have effective anti-corruption policies and allow the EU to monitor implementation of the corresponding efforts; questions, in this respect, the rationale for and cost-effectiveness of the aid granted to Turkmenistan and Uzbekistan; requests that the policy be reviewed should improvements occur; encourages the VP/HR to help foster progress in this field; regrets that due to the high levels of corruption and ineffective bureaucracy the absorption capacity of aid is very low and its positive implications are very limited;

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80. Notes that the current review was deliberately decoupled from the 2014-2020 programming exercise of the Development Cooperation Instrument for Central Asia concluded in 2014, in order to avoid any confusion or duplication while preserving the coherence of EU action in the region;
81. Urges that development assistance be focused on rural development and sustainable farming, in particular to wean farming away from monocultures such as cotton-growing;
82. Calls for the EU to monitor the effectiveness of its technical and financial assistance to public-sector reform in the countries of Central Asia;
83. Calls for the coordination of EU development policies with Member States' activities in the region; calls for close development policy cooperation with the US within the framework of our sustainable development partnership; also calls for cooperation with China and Russia in developing the Central Asia region;
84. Takes into account China's assertiveness in the region and the shift in its role from external commercial partner to regional economic governance mediator, including the regional provision of collective goods;
85. Believes that synergies between the European Fund for Strategic Investments (EFSI) and China's 'One Belt One Road' initiative will constitute an important tool for bringing about economic and social development in the region;
86. Notes also that two countries, namely Kazakhstan and Kyrgyzstan, have joined the new Eurasian Economic Union initiated by Russia;
87. Calls for close cooperation by the EU with UN funds and agencies and with the World Bank;
88. Takes note of the continued sectorial budget support in Kyrgyzstan and Tajikistan, and calls on the Commission and the EEAS to define and apply robust and objectively verifiable conditions, for any continuing budget support programmes in particular; emphasises, however, that this must be accompanied by more stringent criteria, including a strong reform agenda and effective anti-corruption measures; points out that EU budget support should not be used for direct financing of the basic public services (such as primary and secondary education, basic healthcare and basic infrastructure), which is a primary responsibility of the authorities; considers, rather, that EU aid should be tied to the performance of the authorities in this regard, and that EU budget support should encourage the development of advanced public services such as research, innovations, university education, innovative infrastructure, etc.;
89. Welcomes the increase in macrofinancial assistance, and calls for the instrument concerned to be employed on the basis of stringent cost-benefit criteria and detailed impact assessments which focus on spillover effects; taking into consideration the highlights of the Strategy progress reports, emphasises the importance of Member States' involvement in the implementation of EU assistance in order to achieve greater impact and improve results;
90. Welcomes Kyrgyzstan's request for application of the GSP+ arrangements, and hopes that Tajikistan and Uzbekistan will follow its example;
91. Considers it important that all of the countries of Central Asia respect the rules of the World Trade Organisation (WTO) and join the WTO;

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92. Recognises, in line with the OECD's findings, the particular importance of FDI-SME business linkage programmes (BLPs) as a tool for diversification and for maximising the spillover effect of investments, enabling the Central Asian countries to tie FDI more closely to their domestic economies and enhancing their competitiveness while enabling them to gain access to international markets, finance, technology and management skills; in this regard, calls on the governments of the Central Asian states to initiate these programmes and to increase the involvement of stakeholders in already existing BLPs; points out that to ensure that local production meets international quality standards, complementary measures need to be put in place, such as offering training programmes that help SMEs upgrade the skills of their staff or aiding SMEs in embracing internationally-recognised quality standards;

93. Emphasises that it is vital for sustainable economic development in the region to deepen regional integration, increase intra-regional trade, focus on transport networks and logistical services, and improve the business climate and the legislative and regulatory framework, especially for SMEs;

94. Recalls the many cases of infectious tuberculosis in the Central Asia region; underlines the importance of continuity in the roll-out of tuberculosis treatment in emerging countries that no longer receive bilateral EU aid, in view of the development of drug resistance in some strains of tuberculosis;

#### ***Energy, environment, water, and transport***

95. Stress the need for more intensive dialogue on infrastructure development, including energy and transport networks as well as high-capacity internet connections;

96. Recognises that energy cooperation is a key issue in relations between the EU and Central Asia; regards the region as an additional potential source of energy security for the EU, with particular reference to the potential for increased cooperation with Kazakhstan and Turkmenistan; recalls the importance of the EU having a secure, stable and affordable energy supply, in line with its Energy Union and also in light of the relevance this has for the overall security of the Union; consequently, underlines the need for energy supply and diversification to be a key element of the EU-Central Asia strategy, and calls for the EU to increase efforts towards integration of the energy market, which is in the interest of all parties as it will help create energy diversification; calls, in this regard, for a redoubling of efforts to achieve the objective of expanding the Southern Corridor to Central Asia and the trans-Caspian pipeline; emphasises, however, that energy agreements and dialogues must be coupled with strong human rights elements;

97. Takes note of the EU's support for energy projects which could expand the Southern Gas Corridor, including through the trans-Caspian and, possibly, Iran routes; calls, nevertheless, on the EU to conduct full feasibility studies for such projects, including environmental and social impact assessments;

98. Supports the promotion by the EU of renewable energy, energy efficiency and the integration of energy markets in Central Asia with those of neighbouring countries, as well as of the EU;

99. Reiterates its opinion that reinvestment of revenues from natural resources is crucial for sustainable socio-economic development;

100. Encourages better coordination and reinvigorated efforts under the crucial water and environment regional platform, led by Italy and Romania;

101. Advocates an enhanced proactive role for the EU in terms of environmentally sustainable development; emphasises, in this context, the importance of the principles of environmental sustainability in the course of extraction or processing of natural resources in the region promoted by the Extractive Industries Transparency Initiative (EITI); notes that only Kazakhstan and Kyrgyzstan comply with the EITI in the region, whilst Tajikistan's candidate status was temporarily suspended in 2015;

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102. Notes with concern that in addition to increasing climate change impacts, multiple alarming environmental challenges inherited from the Soviet period persist, such as those relating to unmonitored and ongoing nuclear contamination over the past decades and to urgent action to clean up nuclear testing sites, industrial and mining activities, unsustainable exploitation of natural resources, land and ecosystem degradation, air pollution, desertification, and, above all, continued catastrophic water mismanagement; urges the Commission, in this respect, to step up technical assistance, assist with resource mobilisation and provide European know-how and best practice as to how to deal with these problems;

103. Urges the EU to continue providing financial and technical assistance addressing the health, humanitarian, environmental, and economic and awareness issues related to the consequences of nuclear testing by the USSR at the Semipalatinsk nuclear test site (SNTS) in north-eastern Kazakhstan, near the city of Semey (previously known as Semipalatinsk);

104. Welcomes and encourages further efforts in terms of adaptation and resilience to climate change, and urges the Central Asian countries to contribute constructively to the success of the 2015 Paris Climate Conference;

105. Calls on the EU to further intensify its Disaster Risk Reduction and resilience-building programmes in Central Asia as a region especially prone to natural disasters, with serious threats related to environmental disasters and climate change;

106. Expresses its deep concern at the massive die-off of Kazakhstan saiga antelope herds in May 2015; urges the EU to contribute with research and environmental measures to the prevention of possible future cases;

107. Calls on the EU to further its efforts in fostering cooperation among Central Asian countries on water management;

108. Encourages the EU to prioritise and deploy its 'water diplomacy' further in order to facilitate improved cross-border water management and mediate dispute settlement, including the promotion of an open and effective framework, in particular in the case of the Rogun dam; in this context, urges the EU to stimulate and accelerate further adherence to international conventions and legal principles relating to shared water resources;

109. Calls on the countries of the region to sign and ratify the UN's Espoo and Aarhus Conventions relating to water conflicts, if they have not already done so, and to involve civil society in the implementation of these conventions;

110. Calls for renewed efforts to cope with and tackle the dramatic consequences of the environmental disaster of the drying-up of the Aral Sea; urges the Commission to increase its support for the International Fund for the Aral Sea, and calls on the EEAS to include this question as a priority in its regular dealings with Uzbekistan;

111. Points out that building a strategic, modern and interoperable road and rail infrastructure system along the Silk Road route is a key interest for China, the EU and Russia, and that the successful integration of the region through modern and reliable infrastructure would offer a major opportunity, not only for greater regional economic integration but also to promote mobility of persons and multicultural exchange, in turn producing a better environment for advancing the rule of law and democracy;

112. Reiterates the EU's readiness to offer its experience and know-how to promote the adoption and enforcement of safety, security and environmental standards in all transport modes and to facilitate links along the Europe –Caucasus-Central Asia transport corridor; in particular, supports continued efforts on the EU's part for the development of safe and secure air and maritime transport in Central Asia;

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113. Encourages further coordination by the EU with China's transport policy in the region;

***Regional cooperation, security challenges and border management***

114. Encourages the EU to increase its dialogue on Central Asia with relevant regional and international organisations, as well as with the neighbours of the Central Asian countries and other active states in the region;

115. Encourages the EU to enhance connectivity by identifying, together with the countries of Central Asia, fields for intensified cooperation, especially with regard to transport and energy; stresses that priority should be given to the integration of Central Asian countries among and between each other, as well as into international markets and corridors;

116. Believes that the EU, working with the Member States, should continue to promote specific regional integration and confidence-building policies, while also rewarding positive steps taken by individual Central Asian countries or groups of countries through increased cooperation; takes the view that EU measures should be geared to the needs and specific characteristics of each country; emphasises the need to deepen political dialogue and foster confidence-building measures among the countries of the region;

117. Regards the deepening of regional economic integration as an important element for regional stability and peace-building;

118. Underlines the importance of cooperation with the OSCE and the UN in all policy fields;

119. Calls on the EU also to involve Mongolia on an ad hoc basis in certain aspects of the European Strategy for Central Asia;

120. Recognises that the main threats and challenges identified in the Strategy for Central Asia remain relevant;

121. Believes that the EU should encourage regional cooperation, in particular with regard to common issues and common challenges, and that the common interest should prevail over the heterogeneity of the countries concerned;

122. Notes that unresolved ethnic issues, lack of prospects for an orderly transfer of power, and non-inclusive governance in the countries of Central Asia are sources of potential instability and extremism, and that as a consequence the successful implementation of core EU interests following on from the Central Asia Strategy is being seriously called into question;

123. Supports the EU's long-term goal of transforming the nascent EU-Central Asia High-Level Security Dialogue into a genuine forum for cooperation in addressing common security challenges in the region and beyond its borders, such as the spillover effects of the war in Afghanistan, including the threat of Islamic State, drug trafficking, trafficking of human beings, violent extremism and terrorism, and chemical, biological, radiological and nuclear (CBRN) risks; highlights the importance and positive impact of regional cooperation programmes, including those strengthening cross-border cooperation and border security, such as the Border Management Programme in Central Asia (BOMCA) and the Central Asia Drug Action Programme (CADAP); believes that a focus on human security rather than purely state security must be integrated in the Dialogue; reiterates the EU's determination to further develop both regional and bilateral security dialogues with Central Asian countries, ensuring the stronger involvement of Afghanistan in cooperation with the regional partners concerned, with particular regard to the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA);

124. Takes note of the adoption of the CADAP for 2014-20; is alarmed, however, by the record levels of opium cultivation and of the related trafficking from Afghanistan through Central Asia; requests the EEAS/Commission to address the issue of involvement of organised crime as well as elites in trafficking, and the negative public health effects in the region;

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125. Recommends, once again, that BOMCA and CADAP be brought under the auspices of the ISP rather than the DCI;

126. Urges the EU to continue with the regional support programmes aimed at conflict prevention and peace-building, including the promotion of intercommunal and interethnic reconciliation, as well as at border demarcation in Central Asia, financed from the ISP;

127. Welcomes the project 'Cross-border Cooperation for Sustainable Peace and Development', sponsored by Switzerland and the UNDP and aiming to create an environment more conducive to sustainable peace and development in cross-border areas between Kyrgyzstan and Tajikistan;

128. Highlights the role of the UNRCCA, which has been based in Ashgabat since 2007, as well as that of the OSCE, in conflict prevention in the region;

129. Asks the EU to lend its support to the initiatives of the UNRCCA and, under its supervision, to focus on the water issue and initiate a dialogue between the five countries in order to deal with cross-border pollution;

130. Asks the Commission to consider the unfavourable consequences that issues of access to water resources could have for stability and security in Central Asia, and to closely monitor all developments;

131. Notes with concern that the 2015 US Annual Report on Human Trafficking <sup>(1)</sup> has placed Turkmenistan and Uzbekistan on the 'Watch List', meaning that the number of victims of human trafficking is increasing; calls on the EU's Anti-Trafficking Coordinator to support Turkmenistan and Uzbekistan in combating human trafficking, which is an affront to human dignity, often involving psychological terror and physical violence, and must therefore be eradicated; asks that Member States highlight this important issue in their dealings with these countries;

132. Highlights the importance of cooperation between the EU and the countries of Central Asia in preventing and combating terrorism; is deeply concerned about the activities of the extremist organisation Islamic State (IS) in recruiting growing numbers of Central Asian citizens to travel to the Middle East to fight or otherwise support IS, Al-Nusra and other terrorist and extremist organisations, prompted in part by political marginalisation and bleak economic prospects; recognises that should a significant portion of radicalised Central Asian citizens return to their home countries, they risk challenging security and stability throughout Central Asia, Afghanistan, Iran, Russia, China and India;

133. Encourages the EU to address, together with the Central Asian governments, the mutual challenges of recruitment of fighters and supporters by IS, by focusing on political and administrative failures, such as promoting religious freedom while safeguarding secular constitutions and revising discriminatory laws and policies, implementing outreach programmes for both men and women, focusing on employment for disadvantaged young people, prioritising policing reform, and ensuring better coordination of security services, as well as learning from European or Asian experiences in rehabilitating and reintegrating Islamist radicals;

134. Considers that international cooperation, including with Russia and China, is essential in addressing the growing threat of Islamist radicalisation in Central Asia; calls on all international parties with influence in the region to encourage Central Asian states to make a concerted effort to better coordinate cooperation between their security services, including with respect to intelligence-sharing; stresses that such cooperation should be consistent with their international human rights commitments;

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<sup>(1)</sup> Compiled by the US State Department.

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135. Expresses its deep concern at the deteriorating security situation in northern Afghanistan and the risks of repercussions for military and political stability in the region; welcomes the improvements in coherence between the EU Strategies for Afghanistan and Central Asia respectively; highlights, however, the need to closer interlink the EU's approach to Central Asia with Afghanistan and adapt existing policies to the post-2014 strategy for Afghanistan; encourages the involvement of Afghanistan in programmes aimed at stability and security in the region; encourages Central Asian states' governments to take a more proactive role and engage in a broader cooperation in the interests of stability in Afghanistan; emphasises the need to regionally coordinate human security, anti-terrorism, immigration and anti-drug trafficking strategies;

136. Calls on the Council, the Commission and the EEAS to prioritise in their relations with the Central Asian states the reform of the security sector, including better funding and training, promoting religious freedom in the framework of the secular constitutions, preventive aspects of countering terrorism and efforts at rehabilitating former jihadists, as components of an overall strategy for dealing with the challenge of Islamist extremism; regrets that despite the urgent need for Security Sector Reform (SSR) in Central Asian countries, the EU has not been able to integrate it into its strategy; welcomes, in this context, the progress that has been made in Kazakhstan as a starting-point for reform on a regional scale; calls on the EU to develop specific SSR programmes for Kyrgyzstan, and possibly Tajikistan, focusing on the rule of law and human rights standards in criminal justice and on civilian policing;

137. Recognises the continued implementation of the Central Asian Nuclear Weapon Free Zone by the five Central Asian countries;

138. Calls on the Member States for a more uniform interpretation and implementation of and strict respect for the eight criteria laid down in the 2008 EU common position on arms export controls; in this respect, raises concern over the circumvention of this common position by some European companies following bilateral agreements by some Member States;

139. Asks Member States to stop the export of ready-made intrusive surveillance systems to the countries of the region if there are sufficient reasons to believe that these systems would be used against journalists, political figures or human rights defenders; calls on the Commission to revise the European export control system in order to prevent such intrusive systems from falling into the wrong hands;

### ***Country-specific issues***

140. Underlines that the following country-specific paragraphs address only priority issues and are therefore not all-encompassing;

#### *Kazakhstan*

141. Emphasises that deeper political and economic relations should be based on shared values; notes that Kazakhstan is the first Central Asian partner with which the EU has negotiated and signed an Enhanced Partnership and Cooperation Agreement (EPCA); expects, with its finalisation, an active and concrete engagement by Kazakhstan on political and democratic reforms, stemming from its international obligations and commitments; recognises the '100-step programme' as an attempt to address urgent reforms in the country;

142. Emphasises, in this regard, the recommendations of Parliament on the negotiations for an EU-Kazakhstan EPCA of 22 November 2012, which are crucial for Parliament's consent to the conclusion of the new EPCA and for future EU-Kazakhstan cooperation;

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143. Is deeply concerned at the increasing deterioration in the fields of freedom of the media, freedom of expression, and freedom of association and assembly; reiterates and stresses that concrete and tangible progress in political reforms has been linked to progress in the negotiation of the new EPCA; calls on Kazakhstan to make every effort to ensure that its legislation is in line with Council of Europe standards and that it guarantees the full implementation of the fundamental freedoms without self-imposed restrictions; calls on the Kazakh authorities to take concrete and effective measures to implement the recommendations made by the UN Special Rapporteur on freedom of peaceful assembly and of association in the outcome report on his mission to Kazakhstan in January 2015; encourages Kazakhstan, in this respect, to review and amend its new criminal codes with regard to the criminalisation of libel, as this undermines fundamental freedoms; expresses its deep concern at the law on not-for-profit organisations, as it undermines the independence and even challenges the very existence of NGOs in Kazakhstan, and calls for its revision;

144. Reminds Kazakhstan of its OSCE commitments to democratic reforms, and urges the country to match its foreign policy ambitions — as a member of the UN Human Rights Council for 2013-2015, host of the 2017 International EXPO, and a candidate for a non-permanent seat on the UN Security Council in 2017-2018 — with significant domestic political reforms;

145. Underlines that according to the preliminary conclusions of the OSCE/ODIHR international observation mission to the 20 March 2016 elections, Kazakhstan still has a considerable way to go in meeting its OSCE commitments for democratic elections, although some progress was noted; encourages the Kazakh authorities to adopt the necessary measures in order to implement all the OSCE/ODIHR recommendations in full;

146. Call for the release of all political prisoners, including the leader of the Alga! opposition party, Vladimir Kozlov;

147. Recognises the positive role played by Kazakhstan in hosting and facilitating the 2013 E3+3 — Iran negotiations on Iran's nuclear programme, the country's contribution to global nuclear security and safety initiatives, including the hosting of the new international nuclear fuel bank, operated by the IAEA, which will commence operations in 2017, its tentative mediating role with regard to the crisis between Russia and Ukraine, and the good offices provided to consultations among the Syrian opposition;

148. Welcomes the fact that as of 2015 Kazakhstan has reached the final stage of its WTO accession process;

*Kyrgyzstan*

149. Regrets the backsliding of Kyrgyzstan, the country of the region in which the EU had placed most expectations in the pursuit of democratic ambitions;

150. Commends Kyrgyzstan on the progress which was demonstrated by the recent parliamentary elections; recognises their peaceful conduct and the significantly better transparency; welcomes the findings of the OSCE Election Monitoring Mission on Parliamentary Elections in Kyrgyzstan on 4 October 2015, which highlighted a wide range of choices for voters and a competitive electoral campaign; expresses its concern, however, at the mandatory registration of biometric data as a prerequisite for voting, resulting in significant problems with the inclusiveness of the voter list; stresses that further efforts are needed to develop a fully functioning parliamentary democracy, despite the initial encouraging signs shown by Kyrgyzstan regarding pursuing democratic reforms and shifting towards a genuine multi-party system, as one of the pilot countries for EU democracy support;

151. Welcomes the fact that Kyrgyzstan has withdrawn the restrictive draft legislation on 'foreign agents' and LGBTI persons, and asks it to reject all legislation discriminating against LGBTI persons and targeting civil society;



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152. Welcomes Kyrgyzstan's successful election on to the UN Human Rights Council during 2016-2018, and invites the country to constructively use its upcoming membership to address human rights issues;

153. Urges the Commission/EEAS to assist Kyrgyzstan in delivering justice to the victims of the 2010 ethnic clashes;

#### *Tajikistan*

154. Urges Tajikistan to comply with its international human rights commitments and to protect freedom of assembly and the independence of the legal profession; draws attention to the problematic situation of the media following the signing by the President of a new regulation according to which all information about official events will be channelled through the state information agency, thus restricting access by other media; calls on Tajikistan to refrain from undue interference in the work of NGOs and not to implement the recently passed legislation on NGO funding;

155. Expresses its concern at the decision to ban the Islamic Renaissance Party of Tajikistan, following a worrying trend aimed at suppressing legitimate political forces and silencing critical voices for the sake of security concerns; calls on the Tajik authorities to comply with the commitments of the 1997 peace agreement and to adopt the necessary measures to guarantee freedom of expression, pluralism and a free and open political environment;

156. Takes note of the conclusions of the OSCE/ODIHR election observation mission to the parliamentary elections of 1 March 2015 in Tajikistan that those elections 'took place in a restricted political space and failed to provide a level playing field for candidates';

157. Continues to express concern over the inefficiency of EU development aid in the country; urges the EEAS/Commission to prioritise programmes aimed at prevention of torture in detention centres and media freedom in Tajikistan;

158. Welcomes Tajikistan's accession to the WTO in March 2013;

#### *Turkmenistan*

159. Stresses that Turkmenistan is a party to most major international agreements and is therefore under the obligation to respect and protect human rights under all circumstances; expresses its readiness to increase EU support in the field of democratic principles and human rights, in particular by making full use of the EIDHR and other means to support the reform process in the country;

160. Regrets, that in the reporting period the situation in the field of the rule of law, human rights and fundamental freedoms remained practically unchanged, despite some legislative efforts in the political, judicial, economic, social and educational fields; believes that the new legislation should be subject to review by international experts in the light of international human rights obligations;

161. Asks the VP/HR and the Commission to engage with the Turkmen authorities requiring concrete steps aimed at improving the human rights situation and the rule of law, pursuant to Article 21 TEU; further calls for the continued raising of human rights concerns at all levels, in addition to the ongoing human rights dialogue; reiterates its call on the EEAS to upgrade the Liaison Office in Ashgabat into a fully-fledged EU Delegation in Turkmenistan as quickly as possible, inter alia so as to interact with civil society and monitor the human rights situation;

162. Underlines the importance of a continued human rights dialogue, especially with regard to continuing the pressure for the release of individuals detained on politically motivated grounds and to disclosure of the fate of the disappeared prisoners;

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163. Recognises that the entry into force of the PCA with Turkmenistan would help develop the full potential of the established relationship;

164. Calls on the VP/HR to honour the agreement reached with her predecessor regarding a monitoring mechanism, allowing Parliament to be properly informed by the EEAS on the implementation of the PCA once it has entered into force;

165. Welcomes the recently strengthened engagement of Turkmenistan with the EU in areas of mutual concern; notes the country's presence at the 2015 OSCE Human Dimension Implementation Meeting and the high-level presence on the Turkmen side at the 15th annual Joint Committee meeting under the Interim Trade Agreement in October 2015;

166. Calls on Turkmenistan to stop its ongoing campaign of removing satellite dishes and blocking access to some websites, and to put an end to the intimidation and harassment of independent journalists and civil society activists;

*Uzbekistan*

167. Regrets the EU's lack of effective pursuit of democratisation in Uzbekistan, and reiterates its expectation that the EU will actively pursue this objective in the country; notes the Uzbek Government's refusal to undertake significant reforms; encourages the VP/HR to develop a policy of critical, constructive, conditional and coherent European engagement with Uzbekistan;

168. Deplores the systematic and routine violation of fundamental rights and freedoms despite the adoption of improved laws on the matter and the ratification of international human rights instruments; urges the Uzbek authorities to take meaningful steps to fully address the concerns and effectively implement all the recommendations of the UN Special Rapporteur on Torture, the Committee Against Torture and the Human Rights Committee;

169. Insists that the Uzbek authorities release all those who have been imprisoned in retaliation for their peaceful exercise of freedom of expression, association and assembly, and highlights the need for prevention and investigation of cases of torture in prison; expresses its concern at the arbitrary extensions of prison terms; calls on the Uzbek authorities to allow independent human rights NGOs to work without hindrance;

170. Welcomes the fact that the country has made some progress in eliminating child labour and, in particular, the Government's ban in this sense; recalls the importance of independent and objective monitoring of the implementation of the ban; reiterates the need to eliminate the use of forced labour during the annual cotton harvest, while encouraging further commitment by the government to continue with concrete efforts, such as an action plan, to eradicate forced labour in line with the recommendations of the ILO and the World Bank;

171. Recalls that Parliament has decided not to consider granting its consent to the Protocol to the EU-Uzbekistan PCA extending the provisions of the Agreement to bilateral trade in textiles, until it is confirmed that concrete reforms have been implemented and have yielded substantial results, also ensuring that the practice of forced labour, additionally to child labour, is effectively in course of being eradicated in Uzbekistan;

172. Takes the view, in this regard, that some of the past EU development aid to Uzbekistan, including that for capacity-building by its parliament, was misdirected and that aid should be redirected to more meaningful areas such as rural development or environmental and water management;

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173. Expresses its deep concern at the activities of the Islamic Movement of Uzbekistan, which pledged allegiance to Islamic State in August 2015 and has recruited thousands of jihadists in Central Asia;

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174. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the EU Special Representative for Central Asia, and the governments and parliaments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

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## Zika virus outbreak

### European Parliament resolution of 13 April 2016 on the Zika virus outbreak (2016/2584(RSP))

(2018/C 058/14)

*The European Parliament,*

- having regard to the statement of 1 February 2016 by the World Health Organisation (WHO) declaring the Zika virus outbreak a Public Health Emergency of International Concern,
  - having regard to Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC <sup>(1)</sup>,
  - having regard to Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) <sup>(2)</sup>,
  - having regard to the question to the Commission on the Zika virus outbreak (O-000030/2016 — B8-0119/2016),
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas on 1 February 2016 the WHO declared the Zika virus outbreak a Public Health Emergency of International Concern (PHEIC);
- B. whereas the Zika virus is an emerging mosquito-borne virus that was first identified in Uganda's Zika forest in 1947 in rhesus monkeys, through a monitoring network for sylvatic yellow fever;
- C. whereas outbreaks of Zika virus disease have been sporadically recorded in two European regions, Martinique and French Guiana, and in Africa, the Americas, Asia and the Pacific, and whereas cases of contamination have been detected in Europe, particularly in the Overseas Territories of Guadeloupe and Saint Martin;
- D. whereas in 2007, the Zika virus emerged outside its known endemic boundaries for the first time and caused an epidemic on Yap Island in the Federated States of Micronesia, followed by a widespread epidemic in French Polynesia in 2013-2014 and a subsequent spread to several countries in Oceania, including New Caledonia and the Cook Islands; whereas, while the Zika virus was generally considered to only cause mild human disease, the outbreak in French Polynesia revealed the virus's potential to cause neurological complications (i.e. Guillain-Barré syndrome and meningoencephalitis);
- E. whereas according to the European Centre for Disease Prevention and Control (ECDC), 'most of the infections remain asymptomatic (approximately 80 %);
- F. whereas the biggest outbreak of the Zika virus has been recorded in Brazil, particularly Northeast Brazil;
- G. whereas in November 2015 the Brazilian Ministry of Health declared a public health emergency in relation to an unusual increase in the number of children born with microcephaly in Pernambuco State during 2015; whereas the striking increase is visibly mainly in the most severe forms of microcephaly but some reports suggest that the prevalence of milder forms of that disease was exceptionally high even a few years before the Zika outbreak in 2015;

<sup>(1)</sup> OJ L 293, 5.11.2013, p. 1.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 104.

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- H. whereas mosquito life cycle depends on climate, habitat and biodiversity, and whereas mosquito spread is facilitated by human factors such as climate change, man-made aquatic habitats, deforestation, urbanisation and lack of sanitation, urban waste, conflicts and travelling;
- I. whereas the outbreak of the Zika virus has exposed existing inequalities in the countries affected, including with regard to public health systems and living conditions, whilst disproportionately affecting the poorest members of society who often live next to open water sources and are ill-equipped to prevent and confront the disease; whereas women still account for the majority of the world's poor and their situation is particularly at stake as the prime responsible party in the household for food, clean water, hygiene and raising children with microcephaly-associated syndromes, something which may necessitate additional financial resources, particularly when no adequate or affordable support structures are in place;
- J. whereas imported cases of Zika virus infection have been reported in several European countries; whereas on 11 February 2016 the ECDC referred to a case of microcephaly detected in a pregnant woman in Slovenia, who developed a Zika-like infection during pregnancy while residing in Brazil;
- K. whereas, as of 9 February 2016, no cases of autochthonous Zika virus transmission have been reported on the European continent but a few cases have been reported in European outermost regions;
- L. whereas the appearance of the virus has been associated with clusters of microcephaly cases and other neurological disorders, including cases of Guillain-Barré syndrome; whereas on 1 February 2016 the WHO declared that a causal relationship between Zika infection during pregnancy and microcephaly is strongly suspected, though not yet scientifically proven;
- M. whereas based on a growing body of preliminary research, there is scientific consensus that the Zika virus is one of the causes of microcephaly<sup>(1)</sup>, a condition that damages foetal cells that make the brain<sup>(2)</sup>, causes babies to be born with unusually small heads and in most cases delayed brain development and appears to be able to harm a foetus throughout pregnancy<sup>(3)</sup>, and is also a cause of Guillain-Barré syndrome; whereas uncertainty about the health of the unborn baby, as well as the uncertainty regarding transmission mechanisms, puts women and adolescent girls, especially pregnant women and their families, in an incredibly difficult position, in particular as regards their health and the long-term implications for the household, and whereas these uncertainties should by no means be used to delay urgent decisions and actions needed to resolve this crisis;
- N. whereas there are many potential causes of microcephaly, but often the cause remains unknown, and whereas, in the absence of any specific treatment for microcephaly, the existence of a multidisciplinary team to assess and care for babies and children with microcephaly is important, early intervention with stimulation and play programmes may show positive impacts on development, and family counselling and support for parents is also extremely important;
- O. whereas the cluster of microcephaly cases in Brazil has been associated by Argentinian and Brazilian researchers with the larvicide pyriproxyfen, which was introduced into drinking water supplies in 2014 in affected areas of Brazil; whereas in response to this possible association, against the advice of the Ministry of Health and in accordance with the precautionary principle, the local government in Rio Grande do Sul, a state in the south of Brazil, suspended its use as from 13 February 2016;

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<sup>(1)</sup> <http://www.who.int/features/qa/zika/en/>

<sup>(2)</sup> <http://www.nature.com/news/zika-highlights-role-of-controversial-fetal-tissue-research-1.19655>

<sup>(3)</sup> Brasil, P. et al. N. Eng. J. Med. <http://dx.doi.org/10.1056/NEJMoa1602412> (2016).

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- P. whereas among the 4 783 reported cases of microcephaly since October 2015, more than 700 have been ruled out as having microcephaly;
- Q. whereas among 404 infants with confirmed microcephaly, only 17 have tested positive for the Zika virus;
- R. whereas the Zika virus outbreak has been a reality in European Overseas Territories since 2013;
- S. whereas there is a risk of establishment of local vector-borne transmission in Europe during the 2016 summer season;
- T. whereas there is no specific treatment or vaccine currently available, but whereas the Indian company Bharat Biotech announced on 3 February 2016 that it had 'two vaccine candidates in development, one a recombinant vaccine and another an inactivated vaccine that has reached the stage of pre-clinical testing in animals';
- U. whereas the Zika virus can be sexually transmitted <sup>(1)</sup> <sup>(2)</sup> and the WHO has stated that sexual transmission is 'relatively common <sup>(3)</sup>';
- V. whereas there have also been reports of transmission of the Zika virus linked with blood transfusions;
- W. whereas there is a real threat of transborder transmission of the Zika virus infection caused by infected travellers and global commerce;
1. Acknowledges that the Zika virus is mostly transmitted to people through the bite of an infected mosquito from the *Aedes* genus, mainly *Aedes aegypti* in tropical regions, and that this is the same mosquito that transmits dengue, chikungunya and yellow fever;
  2. Notes that according to the ECDC assessment, as neither treatment nor vaccines are available, and since the mosquitoes that spread the Zika virus bite both indoors and outdoors, mostly during the daytime, prevention is currently based on personal protection measures, such as wearing permethrin-treated long-sleeved shirts and long trousers (especially during the hours when the type of mosquito that carries the Zika virus is most active) and sleeping or resting in screened or air-conditioned rooms, or otherwise using mosquito nets;
  3. Stresses the importance of setting up communication plans on the most appropriate scale in order to raise awareness among the population and promote the appropriate behaviour in order to avoid mosquito bites;
  4. Welcomes the ECDC's ongoing monitoring of the situation; calls on the ECDC to regularly update their risk assessments and epidemiological updates; believes that the ECDC should establish an expert committee in tropical communicable diseases in order to efficiently coordinate and monitor all the measures which need to be put in place in the EU;
  5. Welcomes the Commission's decision to mobilise EUR 10 million for research into the Zika virus and recommends focusing on cases of severe congenital brain malformations across Latin America and their suspected link to Zika virus infections; questions, however, whether this amount is commensurate with the extensive scientific challenge of helping to understand the Zika virus disease and its neurological complications and developing diagnostic tests and treatment for the disease;

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<sup>(1)</sup> <http://www.dallascounty.org/department/hhs/press/documents/PR2-2-16DCHHSReportsFirstCaseofZikaVirusThroughSexualTransmission.pdf>

<sup>(2)</sup> <https://www.rt.com/news/333855-zika-sex-case-france/>

<sup>(3)</sup> <http://www.reuters.com/article/us-health-zika-qanda-factbox-idUSKCN0X22TY>

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6. Notes that the Zika virus has been recorded in 28 countries and has potential life-changing consequences, in particular for young and poor women, a vast majority of whom are living in the least-developed regions of these countries; stresses, in view of the likely further spread of the disease, that the lessons learnt from last year's Ebola crisis must be put into practice urgently by the international community;
7. Stresses that research should focus primarily on preventive measures to avoid the spread of the virus, and on treatments; calls for research into Zika to be three-pronged: to investigate the strongly suspected link between the Zika virus and congenital brain malformations, to develop treatments and vaccinations and to develop tests for rapid and effective diagnosis;
8. Stresses the need for further research into the possible link between microcephaly and the larvicide pyriproxyfen, given the fact that there is no scientific evidence that discards this link;
9. Stresses that research should not overlook other possible and complementary causes of microcephaly;
10. Highlights the further funding possibilities available under Horizon 2020 and FP7 for research on vaccine development for malaria and neglected infectious diseases, which include the Zika virus;
11. Calls on the Commission to make sure that, if EU public money is spent on research, the results of that research are free of intellectual property rights and price accessibility to patients is guaranteed for the products thereby developed;
12. Calls on the Commission to propose specific measures for European regions where the Zika virus has already spread, in order to eradicate all possible vectors of transmission in those regions, to support persons already infected, especially pregnant women, and to avoid a broader transmission in those regions and in the rest of the European continent;
13. Calls on the Commission to come up with an action plan to prevent the spread of the virus in Europe and to assist Member States and third countries fighting this epidemic in the regions where the outbreak is more severe (mostly in the Caribbean and Central and South America); considers that such a plan should include targeted and sufficient free distribution of mechanical barriers such as nets (to avoid mosquito bites) and condoms (to avoid sexual transmission); calls on the Commission to develop a Management Protocol targeted at citizens who might be at risk of carrying the Zika virus infection owing to their epidemiologic context, with the aim of effectively breaking the chain of sexual and blood transmission by early detection;
14. Highlights the necessity of a gender-sensitive approach when discussing funding and estimating laboratory needs, given the complexity of testing and developing safe, effective, affordable and deliverable vaccines for pregnant women, who are often excluded from early clinical trials; urges financial donors to remain realistic regarding the expected costs of the development of these vaccines, including when allocating EU research funding, and to put the safety of girls and women at the forefront;
15. Points out the fact that the Zika virus has exposed the weaknesses in both public health systems' responses, especially at the primary care level, and the provision of reproductive health services and rights for women and girls in the countries affected, particularly with regard to information and care during and after pregnancy, and to the prevention and termination of pregnancies, while government officials in these countries have advised women to delay pregnancy until more is known about the Zika virus;
16. Recognises the need to strengthen laboratory capacity to confirm suspected Zika virus infections in the EU/EEA in order to differentiate Zika virus infections from other arboviral infections (for example dengue and chikungunya); calls on the Member States and the Commission to coordinate research among the laboratories performing research on the Zika virus, and to promote the establishment of such laboratories in the Member States where they do not yet exist;

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17. Calls for the EU and the Member States to propose strategies to help connect vaccine makers, Centres for Disease Control and Prevention, and other national and state public health agencies and health providers to promote an exchange of data and analytics;

18. Stresses the importance of increasing awareness among obstetricians, paediatricians and neurologists that Zika virus infections should be investigated for patients who have travelled to Brazil and other affected countries since 2014 and those presenting with congenital central nervous system malformations, microcephaly and Guillain-Barré syndrome (GBS);

19. Notes with concern that in many of the affected countries, pregnancy is not simply a choice, particularly in those countries where rates of sexual violence are persistently high; calls on the EU to support the affected countries in achieving universal access to primary health care, including antenatal and postnatal care and diagnostic testing for the Zika virus, and calls on the EU to support the governments of the affected countries in providing a comprehensive sexual and reproductive information and health care package, including family planning possibilities, with an emphasis on access to a range of high-quality contraceptive methods for all women and adolescent girls, and access to safe abortion in order to combat the rise in unsafe abortions since the start of the epidemic, and, in this context, to trigger the required dialogue about contraception and women's and girls' rights with partner countries;

20. Points out that, so far (as of 10 February 2016), 25 EU/EEA countries, the USA and the European Centre for Disease Prevention and Control have advised pregnant women and women who are trying to become pregnant to delay travel to Zika-affected areas;

21. Since there is currently no prophylaxis, treatment or vaccine to protect against the Zika virus infection, and given the risk of establishment of local vector-borne transmission in Europe during the 2016 summer season, calls on the Commission to conduct an immediate analysis of insecticides in terms of human health and effectiveness against the mosquito vector of the infection; calls also on the Commission to coordinate a set of prevention guidelines to be put in place this summer by national authorities;

22. Acknowledges that a testing algorithm for pregnant women returning from an area with ongoing Zika virus transmission has been published; points out, however, that an issue not yet addressed by the health authorities is the prolonged detection of the Zika virus in semen and the documented transmission of the Zika virus through sexual intercourse, which may have implications for male travellers returning from regions with ongoing transmission; believes that, considering that asymptomatic infections are frequent, male travellers should be advised to use condoms after returning from regions with ongoing transmission until conclusive data on the significance of this mode of transmission become available;

23. Following the WHO recommendations on prevention in European countries, calls on the Commission and the Member States to significantly enhance monitoring of invasive mosquito species and increase control of mosquitoes by eliminating breeding sites (such as pools) and planning for insecticide spraying in case of outbreaks, and to improve disinfection rates of cargo, cargo carriers and cabin and passenger compartments of planes from infected countries;

24. Calls for the EU and the Member State embassies to provide information and support to EU citizens living and travelling in affected areas;

25. Calls on EU and third country airline companies to duly and properly carry out disinsection of aircraft coming from affected areas;



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26. Calls for the EU to consult Member States and third countries (national, regional and local governments) with expertise in monitoring, sensitisation, prevention and/or combating the *Aedes* genus mosquito — such as the Madeira Regional Government and Funchal City Hall, which have more than 10 years of experience in dealing with this issue, and the French Outermost Regions and Overseas Territories, which have long-standing expertise in vector-borne emerging diseases and specifically the Zika virus — in order to build its strategy against the Zika virus;
27. Points out the need for a coordinated approach at EU and international level in the fight against this outbreak; welcomes, in this context, the launch of the European Medical Corps and considers it to be relevant in helping mobilise medical and public health teams and equipment to fight the Zika virus if necessary; calls also on the Commission to urgently put forward a horizontal EU strategy on global health aimed at achieving the new sustainable development framework and its goals;
28. Invites the Commission, in cooperation with other partners, to help monitor the spread of the Zika virus also in developing countries and to integrate adequate responses in terms of developing health capacities, training health staff, epidemiological surveillance, community education and mobilisation and the control of mosquito populations into existing country-specific development programmes in cooperation with affected countries;
29. Stresses the need for any proposal to be based on a wide range of epidemiological studies covering not only Zika virus effects but also other causes of these effects;
30. Calls on the Member States to increase the awareness of clinicians and travel health clinics about the evolution of the Zika virus epidemic and the vector control envisaged by the authorities in affected areas, so that they can include Zika virus infection in their differential diagnosis for residents and travellers from those areas and prepare for possible quarantine of travellers suspected of having the Zika virus in order to prevent autochthonous transmission; calls on the national health authorities to organise an information campaign coordinated by the ECDC with the aim of informing and reassuring European citizens and avoiding unnecessary alarm;
31. Calls on the Commission and the Member States to enhance vigilance regarding the early detection of imported cases of Zika virus infection in the EU, including the EU Overseas Countries and Territories and the EU Outermost Regions, in particular where vectors or potential vectors are present, in order to reduce the risk of autochthonous transmission; acknowledges, moreover, that, although probably low and seasonally restricted, there is a risk of Zika virus importation to *Aedes* mosquito-infested regions in temperate climates (including regions of North America and Europe) with consecutive autochthonous transmission;
32. Stresses the importance of access to broad health services in fighting the Zika virus disease;
33. Supports calls made by the United Nations<sup>(1)</sup> to repeal laws and policies that restrict access to sexual and reproductive health and rights in contravention of international standards, and echoes its willingness to ensure that public health responses are pursued in conformity with human rights, in particular in relation to health and health-related rights;
34. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations and the World Health Organisation.
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(1) <http://www.un.org/apps/news/story.asp?NewsID=53173#.VswcHE32aUk>

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P8\_TA(2016)0123

## Situation in Poland

### European Parliament resolution of 13 April 2016 on the situation in Poland (2015/3031(RSP))

(2018/C 058/15)

*The European Parliament,*

- having regard to the European Union Treaties, in particular to Articles 2, 3, 4 and 6 of the Treaty on European Union (TEU),
  - having regard to the Commission Communication of 11 March 2014 on a new EU framework to strengthen the rule of law (COM(2014)0158),
  - having regard to the Charter of Fundamental Rights of the European Union,
  - having regard to the European Convention on Human Rights (ECHR),
  - having regard to Parliament's debate of 19 January 2016 on the situation in Poland,
  - having regard to the Venice Commission opinion of 12 March 2016 on the amendments of 22 December 2015 to the Act of 25 June 2015 on the Constitutional Tribunal of Poland,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas respect for the rule of law, democracy, human rights, fundamental freedoms, and the values and principles enshrined in EU treaties and international human rights instruments are obligations incumbent on the Union and its Member States and must be complied with;
- B. whereas, under Article 2 of the TEU, the EU is founded on respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, values which are shared by all Member States and which must be upheld by the EU, and by each individual Member State, in all their policies;
- C. whereas, under Article 4(2) of the TEU, the EU must respect the equality of Member States before the Treaties, as well as their national identities;
- D. whereas, under article 4(3) of the TEU, pursuant to the principle of sincere cooperation, the Union and the Member States must, in full mutual respect, assist each other in carrying out tasks which flow from the Treaties;
- E. whereas, under Article 17 of the TEU, the Commission must ensure the application of the Treaties;
- F. whereas the rule of law is the backbone of democracy and is one of the founding principles of the EU, operating on the basis of the presumption of mutual trust that Member States conform with democracy, the rule of law and fundamental rights, as enshrined in the Charter of Fundamental Rights and the ECHR;
- G. whereas an efficient, independent and impartial judicial system is essential for the rule of law and to ensure the protection of the fundamental rights and civil liberties of citizens in Europe;

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- H. whereas the Constitutional Tribunal was established as one of the central elements ensuring checks and balances in constitutional democracy and the rule of law in Poland;
- I. whereas recent events in Poland, in particular the political and legal dispute concerning the composition of the Constitutional Tribunal and new rules on its operation (relating, among other things, to the examination of cases and the order thereof, the raising of the attendance quorum and the majorities needed to pass decisions of the Tribunal) have given rise to concerns regarding the ability of the Constitutional Tribunal to uphold the constitution and guarantee respect for the rule of law;
- J. whereas the Venice Commission clearly stated that the Constitutional Tribunal cannot fulfil its role as guarantor of the supremacy of the Constitution of Poland owing to the fact that the Tribunal's verdict of 9 March 2016 is unpublished and therefore cannot enter into force, and that this is undermining the rule of law; whereas the Venice Commission warned that crippling the Tribunal would undermine democracy, human rights and the rule of law;
- K. whereas the actions taken by the Polish Government and the President of the Republic of Poland with regard to the Constitutional Tribunal represent a risk to constitutional democracy;
- L. whereas, following the orientation debate of 13 January 2016, the Commission decided to initiate the structured dialogue under the Rule of Law Framework by sending a letter to the Polish Government with a view to clarifying the situation in Poland;
- M. whereas the Commission, as guardian of the Treaties, will now collect and examine all the relevant information and assess whether there are clear indications of a systemic threat to the rule of law;
- N. whereas the Rule of Law Framework is intended to address threats to the rule of law which are of a systemic nature, particularly in situations which cannot be effectively solved by infringement procedures and where the 'rule of law safeguards' which exist at national level no longer seem capable of effectively addressing these threats;
- O. whereas the current Polish Constitution, adopted in 1997, guarantees the separation of powers, political pluralism, freedom of the press and of speech and the right to information;
- P. whereas, in addition to the constitutional crisis, there are other issues that are of serious concern to the European Parliament insofar as they may constitute breaches of European law and fundamental rights, including women's rights; whereas such moves by the Polish Government must be closely monitored by the European institutions;
1. Considers it essential to guarantee that the common European values listed in Article 2 of the TEU are upheld in full;
  2. Believes that all Member States must fully comply with EU law in their legislative and administrative practice, and that all legislation, including the primary law of all Member States and candidate countries, must reflect and adhere to basic European values, namely democratic principles, the rule of law and respect for fundamental rights;
  3. Is seriously concerned that the effective paralysis of the Constitutional Tribunal in Poland poses a danger to democracy, human rights and the rule of law;
  4. Urges the Polish Government to respect, publish and fully implement without further delay the Constitutional Tribunal's judgment of 9 March 2016 and to implement the judgments of 3 and 9 December 2015;
  5. Calls on the Polish Government to fully implement the recommendations of the Venice Commission; shares the Venice Commission's opinion that the Polish Constitution and European and international standards require that the judgments of a Constitutional Court be respected;

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6. Welcomes Commission Vice-President Timmermans's recent visit to Poland and his statement at the Commission meeting of 6 April 2016 on the start of a dialogue to find a way out of the current situation, based on full respect for the constitutional framework, which means publication and implementation of the rulings of the Constitutional Tribunal; shares his concerns about the possibility of having two parallel legal systems, which would lead to legal uncertainty;
  7. Supports the Commission's decision to launch a structured dialogue under the Rule of Law Framework, which should clarify whether there is a systemic threat to democratic values and the rule of law in Poland; welcomes the Commission's reassurance that the dialogue with Polish authorities will be conducted in an impartial, evidence-based and cooperative manner, and calls on the Commission, should the Polish Government fail to comply with the Venice Commission recommendations in the course of the structured dialogue, to activate the second stage of the rule of law procedure by issuing its 'rule of law recommendation' and to offer its support to Poland in developing solutions to strengthen the rule of law;
  8. Emphasises, nevertheless, that all the steps to be taken must respect the competences of the EU and of its Member States, as set by the Treaties and the principle of subsidiarity;
  9. Calls on the Commission to keep Parliament regularly and closely informed of its assessments, the progress made and the actions taken;
  10. Expresses the hope that the structured dialogue between the Polish Government and the Commission will also result in other decisions of the Polish Government that have given rise to concerns as to their legality and potential impact on fundamental rights being reviewed;
  11. Expects the Commission to monitor all Member States in the same way as regards respect for democracy, the rule of law and fundamental rights, thus avoiding double standards, and to report back to Parliament;
  12. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the President of the Republic of Poland.
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P8\_TA(2016)0128

**Pakistan, in particular the attack in Lahore****European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore (2016/2644(RSP))**

(2018/C 058/16)

*The European Parliament,*

- having regard to its previous resolutions on Pakistan,
- having regard to the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, of 27 March 2016 on the attack in Lahore, Pakistan,
- having regard to the statement by the EU Special Representative for Human Rights, Stavros Lambrinidis, of 29 October 2014,
- having regard to the statements by the UN Secretary-General, Ban Ki-moon, of 27 March 2016 on the bombing in Pakistan and of 21 January 2016 on the Bacha Khan University attack,
- having regard to the UN Security Council statement of 28 March 2016 on terrorist attacks in Lahore, Pakistan,
- having regard to the reports of the UN Special Rapporteur on freedom of religion or belief,
- having regard to the report of the UN Special Rapporteur on minority issues, Rita Izsák-Ndiaye, on 'Hate speech and incitement to hatred against minorities in the media', of 5 January 2015,
- having regard to the statement by Nobel Peace Prize winner and Sakharov Prize winner Malala Yousafzai of 27 March 2016,
- having regard to the report of the UN Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, of 4 April 2013, and the report of the UN Working Group on Enforced or Involuntary Disappearances of 26 February 2013 on its mission to Pakistan,
- having regard to Article 18 of the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights and the International Covenant on Social, Economic and Cultural Rights,
- having regard to the EU Guidelines on the death penalty, as revised on 12 April 2013,
- having regard to the Council conclusions on Pakistan of 20 July 2015,
- having regard to the EU-Pakistan five-year Engagement Plan of March 2012, which contains priorities such as good governance and dialogue on human rights, as well as the closely related second EU-Pakistan Strategic Dialogue of 25 March 2014,
- having regard to the EU Guidelines on the promotion and protection of freedom of religion or belief,

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- having regard to its resolution of 17 December 2015 on the Annual Report on Human Rights and Democracy in the World 2014 and the European Union's policy on the matter <sup>(1)</sup>,
  
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
  
- A. whereas on 27 March 2016, at a playground in Gulshan-e-Iqbal Park in Lahore, a suicide bomb attack caused the deaths of more than 73 people and injured more than 300, including many women and children; whereas the terrorist Islamist group Jamaat-ul-Ahrar has claimed responsibility for the attack, stating that they intentionally targeted Christians; whereas, however, most of those wounded and killed were Muslims and all of them were Pakistanis;
  
- B. whereas, at the time of the terrorist attack, violent demonstrations were taking place in Islamabad, where supporters of Mumtaz Qadri, the convicted murderer of Governor Salman Taseer, were demanding the execution of Asia Bibi, a woman accused of blasphemy and sentenced to death, whose case Governor Taseer had defended; whereas tens of thousands of people attended Qadri's funeral after he was hanged, celebrating him as a hero, and pictures were circulated on social media; whereas the judge who first convicted Qadri had to flee the country after receiving death threats;
  
- C. whereas some extremist groups are allowed to develop their ideology and activities unhampered, such as certain student unions at the universities and the Khatm-e-Nubuwwat Lawyers' Forum, which is reportedly the driving force behind the rise in prosecutions for blasphemy charges in the Pakistani courts and is against any attempts by legislators to reform the relevant law;
  
- D. whereas Christians and other minorities face not only persecution by extremists, but also legal discrimination, in particular through Pakistan's blasphemy laws, which are discriminatory and are widely misused by those with personal and political motives; whereas Muslims themselves continue to be charged under these laws;
  
- E. whereas for years terrorism and Islamist extremism have taken their toll of the Pakistani people, in particular of religious minorities, women and children; whereas, since the adoption of Parliament's latest resolution on Pakistan of 15 January 2015 <sup>(2)</sup>, some dozens of other terrorist and violent attacks against religious minorities have taken place in a context of discriminatory laws and insufficient enforcement;
  
- F. whereas several terrorist groups in Pakistan target religious minorities such as Ahmadis, Christians, Shia and Hindus, as well as Sunni with diverging opinions; whereas, in its Annual Report 2015, the Human Rights Commission of Pakistan observed that in most cases the perpetrators enjoyed impunity;
  
- G. whereas child suicide bombers are reportedly still being used by extremist groups; whereas the government has failed to pass legislation establishing the National Commission on the Rights of the Child, an independent body to protect and enforce children's rights;
  
- H. whereas, after the school massacre by Taliban insurgents in December 2014, the Government of Pakistan reintroduced the death penalty after a six-year moratorium, first only for terrorist activities but later for all capital crimes; whereas by the end of 2015 Pakistan had executed 326 people — the highest number ever recorded and the third highest in the world;

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0470.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0007.

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- I. whereas the fighting between the Pakistani military and non-state armed groups has resulted in over a million Internally Displaced Persons (IDPs);
- J. whereas women from Pakistan's religious minorities are abducted, forcibly married, and forcibly converted to Islam, a phenomenon largely ignored by the police and civil authorities;
- K. whereas Pakistan plays an important role in fostering stability in South Asia and should therefore lead by example in strengthening the rule of law and protecting human rights;
- L. whereas the EU remains fully committed to continuing its dialogue and engagement with Pakistan under the five-year Engagement Plan;
  1. Is deeply shocked by the attack which took place on 27 March 2016 in Lahore and strongly condemns these senseless acts of violence against so many innocent people;
  2. Expresses its deepest sympathy and condolences to the families of the victims, and voices its solidarity with the people and Government of Pakistan;
  3. Underlines the absolute need to bring the perpetrators of the Lahore attack to justice; calls on the Pakistani authorities, in particular the local and provincial authorities, to ensure that these acts are effectively investigated and prosecuted;
  4. Expresses deep concern at the systemic and grave violations of freedom of religion and belief in Pakistan; stresses the importance of respect for the fundamental rights of all religious and ethnic minorities living in Pakistan so that they can continue to live in dignity, equality and safety, and practise their religion in complete freedom without any kind of coercion, discrimination, intimidation or harassment, in accordance with the founding principles of Pakistan;
  5. Welcomes the government's reform initiatives such as the bill to criminalise child marriage, and the act to protect women from violence and harassment, the unblocking of YouTube, the decision declaring Holi, Diwali and Easter as holidays for religious minorities, and the personal efforts of Prime Minister Nawaz Sharif to visit a Hindi religious event; urges the government to further increase its efforts to create a social climate which welcomes minorities and diversity of thought; recalls in this context the National Action Plan, the promised and urgently needed reforms of the madrassas, notably government action against hate speech, and the still outstanding police and judicial reform; notes that more ambitious measures should be taken in the future, in particular in the field of education (excluding negative biases and prejudices from curricula and textbooks) and in the prosecution of those inciting violence;
  6. Welcomes the Government of Pakistan's commitment to tackling the threat posed by religious extremism; encourages continuous dialogue, between the EU and Member States on the one hand and Pakistan on the other, on ensuring the protection and promotion of human rights, particularly in relation to their counter-terrorism efforts and through the implementation of security laws;
  7. Believes that, while the military operation announced in the Punjab is vital in the battle against terrorism, victory in the ideological war against extremism that will ensure a tolerant and progressive future for Pakistan is equally important;
  8. Calls on the Pakistani authorities to tackle social and economic exclusion, including that of a large majority of Christians and other religious minorities, who lead a precarious existence;

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9. Is concerned at the continued use of blasphemy laws in Pakistan and believes that this is heightening the climate of religious intolerance; calls, therefore, on the Government of Pakistan to review these laws and their application; calls on the authorities to ensure the proper and swift delivery of justice in all blasphemy cases; notes, in particular, the case of Asia Bibi and strongly encourages the Supreme Court to reach a decision on the matter;
  10. Calls on the Pakistani authorities to guarantee the independence of the courts, the rule of law and due process in line with international standards on judicial proceedings; calls, furthermore, on the Pakistani authorities to provide sufficient protection to all those involved in blasphemy cases, particularly the country's legal profession, and to protect the accused, the witnesses, their families and their communities from mob violence, including those who are acquitted but cannot return home; calls on the Government of Pakistan to ensure that appropriate legal and other remedies applicable under international human rights law are made available to the victims of targeted violence and persecution;
  11. Recalls its consistent opposition to the death penalty in all circumstances; notes with grave concern the dramatic increase in the use of the death penalty in Pakistan, including, highly regrettably, against child offenders, and calls for a moratorium on capital punishment to be reinstated with a view to abolishing the death penalty in Pakistan;
  12. Emphasises that, when combating terrorism and religious extremism, it is crucial to tackle its root causes by addressing poverty, ensuring religious tolerance and freedom of belief and guaranteeing the right and safe access to education for children, especially girls;
  13. Calls on the Government of Pakistan to extend an open invitation to the UN special rapporteurs, notably the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on freedom of religion or belief, and to support the work of the National Human Rights Commission in every way;
  14. Calls upon the Government of Pakistan to take the necessary measures to ensure that educational establishments, places of recreation and gathering points of minority communities in areas marked by insecurity and conflict are adequately protected, and to minimise the risk of recurrence of similar human rights violations and abuses;
  15. Encourages all regional actors to significantly improve counter-terrorism cooperation; reaffirms the importance of an unconditional international commitment to fighting terrorism, including disrupting all forms of financial support for terrorist networks, and ideological indoctrination fuelling extremism and terrorism;
  16. Welcomes Pakistan's ratification of the Convention on the Rights of the Child and commends the measures taken by the Pakistani authorities to address children's rights; calls on Pakistan to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and to set up the National Commission on the Rights of the Child;
  17. Calls on the Commission, Vice-President/High Representative Federica Mogherini, the European External Action Service and the Council to fully engage with the Government of Pakistan in tackling the threat posed by terrorism and to further assist the Government and people of Pakistan in continuing their efforts to eradicate terrorism; calls on Vice-President/High Representative Federica Mogherini to keep Parliament regularly informed of the progress made in these bilateral efforts;
  18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Secretary-General of the UN, the UN Human Rights Council, the Presidency of the UN Security Council, the UN High Commissioner for Refugees and the Government and Parliament of Pakistan.
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P8\_TA(2016)0129

**Honduras: situation of human rights defenders****European Parliament resolution of 14 April 2016 on Honduras: situation of human rights defenders (2016/2648(RSP))**

(2018/C 058/17)

*The European Parliament,*

- having regard to the EU Guidelines on Human Rights Defenders and the EU Guidelines to Promote and Protect the Enjoyment of All Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons,
- having regard to its resolution of 11 December 2012 on the draft Council decision on the conclusion of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America, on the other <sup>(1)</sup>,
- having regard to the final report of the EU Election Observation Mission (EOM) on the 2013 general elections in Honduras, and to its follow-up mission in 2015 with regard to impunity,
- having regard to the EU Action Plan on Human Rights and Democracy (2015-2019),
- having regard to the United Nations Universal Periodic Review (UPR) recommendations to Honduras of 8 May 2015,
- having regard to the UN Special Rapporteur's report on the global threats facing human rights defenders, and on the situation of women human rights defenders,
- having regard to the UN Special Rapporteur's statement on the situation of human rights defenders in Honduras, issued in Geneva on 18 March 2016,
- having regard to Article 25 of the Rules of Procedure of the Inter-American Commission for Human Rights, concerning the mechanism for precautionary measures,
- having regard to the 1989 International Labour Organisation Convention concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention 169),
- having regard to the statement of 17 February 2016 by the EU Heads of Mission on the difficult situation the LGBTI community faces in Honduras,
- having regard to statements by EU authorities, including the statement of the EU Delegation in Honduras of 3 March 2016 and the statement of the spokesperson for the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, of 16 March 2016,
- having regard to the human rights clauses of the EU-Central America Association Agreement and the EU-Central America Partnership and Cooperation Agreement (PCA), in force since 2013,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

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<sup>(1)</sup> OJ C 434, 23.12.2015, p. 181.

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- A. whereas, according to several UN reports on human rights defenders, environmental activists, indigenous rights defenders, journalists, legal practitioners, trade unionists, peasants, women's rights activists and LGBTI people, among other activists, continue to be subject to abuses, violence, arbitrary detention, threats and killings in Honduras;
- B. whereas the Honduran Government has made positive commitments and initiated legislation to protect human rights defenders, journalists and legal practitioners, which includes the opening of an office of the UN Commissioner for Human Rights, openness on the part of national authorities to allowing international human rights monitoring missions, and the adoption of the 2015 Law for the Protection of Human Rights Defenders;
- C. whereas, in spite of the above, Honduras has now become one of the most dangerous countries in the region for human rights defenders; whereas Honduras is one of the world's most violent countries for environmental activists, at least 109 of whom were murdered between 2010 and 2015;
- D. whereas, according to the information available, on 3 March 2016 Berta Cáceres, a prominent environmentalist and indigenous rights leader and the founder of the Civic Council of Popular and Indigenous Organisations of Honduras (COPINH), was assassinated in her home by unidentified men; whereas her death sparked international outrage and public concern about indigenous, environmental and land rights defenders in Honduras;
- E. whereas only two weeks later, on 16 March 2016, Nelson García, also a member of COPINH, was murdered; whereas the rapid intervention of the Honduran authorities led to the detention of his alleged murderer;
- F. whereas Mexican national Gustavo Castro Soto, who was the only eyewitness to the murder of Ms Cáceres and who suffered gunshot wounds himself, was prevented from leaving the country for nearly a month owing to the needs of the investigation; whereas on 6 April 2016 he was authorised to leave the country;
- G. whereas the Honduran Government promptly condemned the abominable crime, declared the investigation into the murder of Ms Cáceres a national priority, and informed the public of the progress made; whereas the government has officially requested the cooperation of the Organisation of American States (OAS) in the investigation of this murder;
- H. whereas Ms Cáceres, who was under continuous threat, was benefiting from precautionary measures issued by the Inter-American Commission on Human Rights (IACHR), which were reportedly not implemented effectively by the Honduran state; whereas Ms Cáceres is one of 15 human rights defenders who have been killed between 2010 and 2016 in Honduras despite being beneficiaries of these precautionary measures;
- I. whereas these recent murders should be seen in the context of the peaceful, decade-long resistance led by COPINH and other activists against the Agua Zarca hydroelectric dam on the Gualcarque River, a mega-project highly dependent on European investors and technology which is reportedly being constructed without prior free and informed consultation aimed at obtaining the consent of affected indigenous communities, as required by ILO Convention 169; whereas Dutch development bank FMO and Finnfund have suspended disbursements to the Agua Zarca dam project, of which Ms Cáceres was a leading opponent;
- J. whereas the murder on 24 January 2016 of Paola Barraza, a defender of LGBTI rights, a trans woman and a member of the Arcoíris association, brings into focus the increasing danger faced by the LGBTI community in Honduras; whereas her assassination is the latest in a string of violent deaths of active members of LGBTI human rights organisations in the last 11 months, including the killings of Angy Ferreira, Violeta Rivas, Gloria Carolina Hernández Vásquez (also known as Génesis Hernández), Jorge Alberto Castillo, Estefanía Zúñiga, Henry Matamoros and Josselin Janet Aceituno Suazo; whereas 235 LGBTI people have reportedly been killed in Honduras since 1994, with only 48 cases going to court; whereas the national human rights commissioner has alleged that 92 % of crimes have not been properly investigated and so remain unresolved;

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- K. whereas the UN Special Rapporteur on the situation of human rights defenders, Michel Forst, stated on 18 March 2016 that 'this cycle of violence will only stop when impunity is addressed and perpetrators of such attacks are put to justice', and has stressed the need for the Honduran authorities to take immediate concrete steps to ensure safety for all human rights defenders in the country and their families;
- L. whereas Honduras is currently in the process of reforming its penal code, which should be based on international conventions and be an important tool for securing the rights of vulnerable groups;
- M. whereas the EU and its Member States support the strengthening of the judicial sector and of human rights through various programmes and cooperation projects, in particular the Programme to Support Human Rights (PADH) and Eurojusticia;
- N. whereas several Member States have not yet ratified the EU-Central America Association Agreement, meaning that the 'political dialogue' pillar has not entered into force; whereas respect for democracy, the rule of law and the human, civil and political rights of the people of both regions are fundamental elements of the EU-Central America Association Agreement;
1. Condemns in the strongest terms the recent assassination of Berta Cáceres, Nelson García and Paola Barraza, as well as each of the earlier assassinations of other human rights defenders in Honduras; extends its sincere condolences to the families and friends of all of those human rights defenders;
  2. Pays tribute to Ms Cáceres, a Honduran environmental activist and indigenous leader of the Lenca people, and the co-founder and coordinator of COPINH, who dedicated her life to the pursuit of a more democratic society in her country; stresses that her assassination serves as an emblematic case in a country with an extremely high number of homicides and generalised impunity;
  3. Expresses grave concern that, despite precautionary measures issued by the IACHR, the Honduran authorities failed to provide Ms Cáceres with adequate protection; calls on the Honduran Government to mobilise all the means at its disposal in order to implement effectively the 92 IACHR precautionary measures currently active in the country and to prevent the perpetration of similar acts against other environmental and indigenous activists under threat;
  4. Calls, as a matter of urgency, for immediate, independent, objective and thorough investigations into these and previous murders in order to bring their intellectual and material authors to justice and to put an end to impunity; welcomes the fact that, at the request of the Honduran Government, the investigation into the murder of Ms Cáceres includes representatives of the UN High Commissioner for Human Rights and of the OAS; takes the view that instruments available within the framework of the UN and the IACHR, such as an independent international investigation, as requested by the victims, could help to ensure impartial and fair investigation of these murders;
  5. Expresses its deep concern at the climate of extreme violence, particularly against LGBTI people and those who defend their rights; stresses the need to carry out immediate, thorough and impartial investigations into the killings of active members of various LGBTI human rights organisations;
  6. Emphasises the need to strengthen protection against discrimination and hate crimes on the basis of sexual orientation and gender identity, and to develop good practice guidelines in close cooperation with civil society; calls for the inclusion of appropriate new measures to prevent acts of discrimination and hate crimes, and for the protection of the LGBTI community as part of any revision of the penal code;
  7. Welcomes, while being deeply concerned by the overall human rights situation in Honduras, the latest legal reforms and the Honduran Government's efforts to alleviate the current situation of human rights defenders in the country; calls on the Honduran authorities to bring into force and fully develop the existing 2015 law for the protection of human rights defenders, and to ensure that, in appropriate cooperation with civil society, the national protection system for human rights defenders, journalists and legal practitioners is fully operational and adequately funded; calls on the Government of Honduras to implement fully the recommendations received as part of the latest UPR;

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8. Appreciates the work done by the Head of the EU Delegation in Honduras, Ketil Karlsen, and his team in support of Honduran human rights defenders; calls on the EU Delegation, and on the Member States' embassies and consulates in the country, to actively accompany and monitor the processes associated with the investigation of murders of human rights defenders, and to further step up efforts to engage with human rights defenders currently in danger;
  9. Considers that European investors' activities must be embedded in a strong set of environmental and social safeguard policies; strongly supports the implementation of the UN Guiding Principles on Business and Human Rights, with clear due diligence requirements, risk management safeguards and the provision of effective remedies when needed; welcomes the fact that both FMO and Finnfund have publicly condemned the killing of Berta Cáceres and have called for a thorough investigation, and the fact that on 16 March 2016, following reports of the murder of Nelson García, both suspended all of their activities;
  10. Calls on the Commission and the European External Action Service to ensure that European assistance does not promote or permit development projects unless they meet the requirement for prior, free and informed consultation with indigenous communities, ensure meaningful consultation of all affected communities and have strong human rights, labour rights and environmental safeguards in place;
  11. Calls on those Member States that have not done so to ratify the EU-Central America Association Agreement; urges the Council to develop a unified policy towards Honduras that commits the 28 Member States and the EU institutions to a strong common message concerning the role of human rights in the EU-Honduras relationship and in the region as a whole;
  12. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the national parliaments of the 28 Member States, the President, Government and Parliament of Honduras, the Secretariat for Central American Economic Integration, Parlacen, the EuroLat Parliamentary Assembly and the Community of Latin American and Caribbean States.
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P8\_TA(2016)0130

**Nigeria****European Parliament resolution of 14 April 2016 on Nigeria (2016/2649(RSP))**

(2018/C 058/18)

*The European Parliament,*

- having regard to its previous resolutions on Nigeria,
- having regard to President Muhammadu Buhari's address to the European Parliament of 3 February 2016,
- having regard to the previous statements of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on the situation in Nigeria,
- having regard to the Council conclusions on the situation in Nigeria, including those of 9 February 2015,
- having regard to the previous statements of the Secretary-General of the United Nations on the situation in Nigeria,
- having regard to the previous statements of the United Nations Security Council on the situation in Nigeria,
- having regard to the statements of the VP/HR and the Minister of Foreign Affairs of the Federal Republic of Nigeria at the sixth Nigeria-EU ministerial dialogue, held in Brussels on 15 March 2016,
- having regard to the Council decision to add Boko Haram to the EU list of designated terrorist organisations, which entered into force on 29 May 2014,
- having regard to the second revision of the Cotonou Agreement 2007-2013, ratified by Nigeria on 27 September 2010,
- having regard to the Declaration of Human Rights of 1948,
- having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,
- having regard to the African Charter on Human and Peoples' Rights of 1981, ratified by Nigeria on 22 June 1983,
- having regard to the Constitution of the Federal Republic of Nigeria, in particular its provisions on the protection of freedom of religion in Chapter IV — Right to freedom of thought, conscience and religion,
- having regard to the outcome of the Nigerian presidential elections of March 2015,
- having regard to the report of the UN High Commissioner for Human Rights on violations and abuses committed by Boko Haram and the impact on human rights in the affected countries, of 29 September 2015,

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- having regard to the UN Sustainable Development Goals adopted in September 2015,
  - having regard to the UN Convention on the Rights of the Child, ratified by Nigeria on 16 April 1991,
  - having regard to the Amnesty International report 'Nigeria: Still waiting for justice, still waiting for change. Government must prioritise accountability in the north-east',
  - having regard to the Human Rights Watch report of January 2016 on Nigeria,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas, with its vast resources, Nigeria is the largest economy in Africa and its most populous and culturally diverse nation; whereas it plays a key role in regional and African politics and is a driving force of regional integration through the Economic Community of West African States (ECOWAS); whereas, however, it ranks among the most unequal countries in the world, with widespread corruption contributing significantly to economic and social disparity, and with its security threatened by the violent extremist group Boko Haram;
- B. whereas years of military dictatorship, corruption, political instability and poor governance have led to insufficient investment in the country's infrastructure, education and social services, and whereas this continues to undermine social and economic rights in Nigeria;
- C. whereas more than six out of 10 Nigerians live on less than USD 2 a day; whereas this extreme poverty is even more acute in the northern states, which are the least developed in the country; whereas this poverty contributes directly to a social divide, religious hostility and regional division; whereas Nigeria's Gini index has dramatically increased and reached 48,8 in 2010;
- D. whereas the organisation Transparency International ranked Nigeria 136th out of 175 countries in its 2015 Corruption Perceptions Index; whereas, by some estimates, between USD 3 billion and 8 billion of Nigerian oil is stolen annually;
- E. whereas, despite the peaceful transition to power of President Buhari in March 2015, peace and stability in Nigeria have been threatened by a wave of attacks, killings and kidnappings by the violent extremist group Boko Haram, a flagging economy caused by low global oil prices, weak political institutions, a failure to tackle corruption and unresolved conflicts in the Niger Delta and in the Middle Belt;
- F. whereas Boko Haram killed at least 8 200 civilians in 2014 and 2015; whereas it is estimated that more than 2,6 million people have been displaced and more than 14,8 million affected by the Boko Haram insurgency;
- G. whereas terrorism is a global threat, but the global community's ability to cooperate with the Nigerian authorities in fighting Boko Haram depends on the full measure of credibility, accountability and transparency of the new administration; whereas the government's failure to stamp out impunity for war crimes at the highest level remains one of the major issues in this country; whereas President Buhari has promised to initiate investigations into these matters;
- H. whereas Boko Haram aims to establish a fully Islamic state in Nigeria, including the implementation of Sharia criminal courts across the country, and to forbid Western education; whereas Boko Haram has abducted women and girls to engage in suicide attacks; whereas recent suicide bomb attacks, including those on 16 March, 11 February and 31 January 2016 in north-east Nigeria, have resulted in scores of deaths;

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- I. whereas sexual and gender violence, and violence against lesbian, gay, bisexual, transgender and intersex (LGBTI) people, is still rife in the troubled regions of north-eastern Nigeria, and whereas fundamental rights such as education for young girls and women, social justice and fair distribution of state revenues in society are dramatically worsening, as is the fight against corruption;
- J. whereas around 270 schoolgirls were abducted by Boko Haram on 14-15 April 2014 from a school in Chibok, north-east Nigeria, and whereas the majority are still missing; whereas their exact fate remains a mystery, though it is feared that most were forced to either marry insurgents or to become insurgents themselves, subjected to sexual violence or sold into slavery, and non-Muslim girls were forced to convert to Islam; whereas Boko Haram has abducted more than 2 000 women and girls since 2009, including around 400 from Damasak in Borno state on 24 November 2014;
- K. whereas the Nigerian military announced on 6 April 2016 that at least 800 fighters had surrendered in the three weeks before; whereas Nigerian troops have rescued 11 595 hostages during raids on Boko Haram territory in the mountainous region between Nigeria, Chad and Cameroon since 26 February 2016;
- L. whereas the plight of the abducted schoolgirls has exposed wider problems, including regular attacks on schools, a lack of teachers and the urgent need for international funding to repair and rebuild shattered buildings; whereas the lack of educational opportunities means that some children have not been schooled for many years;
- M. whereas Boko Haram's violent extremism is indiscriminate and has caused immense suffering to people of all faiths and ethnicities in its wave of violence; whereas in the last year there has reportedly been an increase in the number of Christians killed in northern Nigeria;
- N. whereas the Middle Belt region has suffered from years of economic and political tension between ethnic and religious communities, with the recent violence fuelled by competition for power and access to land between nomadic and farming communities;
- O. whereas the oil and gas sectors remain the main sources of revenue in Nigeria, though the division of the benefits of the country's economic wealth is highly unequal; whereas levels of poverty and unemployment in northern Nigeria are considerably higher than in the oil-rich south; whereas, according to the World Bank, Nigeria has lost an estimated USD 400 billion in oil revenue as a result of corruption since 1960, and whereas a further USD 20 billion in oil money has disappeared from Nigeria's Treasury in the past two years;
- P. whereas a special investigation panel was created by the President's office to investigate allegations of human rights abuses by security forces, including killings, torture and enforced disappearances;
- Q. whereas proposed legislation is currently before the Nigerian Senate aimed at punishing the dissemination of 'abusive statements' via social media or criticism of the government or others via print and electronic media;
  1. Welcomes the peaceful transition of power in Nigeria following the presidential elections, and is encouraged by the high expectations surrounding the ambitious reform programme of President Buhari and his government;
  2. Is deeply concerned by the significant social, economic, political and security challenges facing Nigeria, and regrets the lack of real progress in addressing the corruption which has blighted Nigerian society for decades;

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3. Recognises that Nigeria has the potential to be an economic and political powerhouse in Africa, but that its development has been held back by poor economic governance, weak democratic institutions and massive inequality; further calls for the European Union and its Member States to fulfil their commitment to providing a comprehensive range of political, development and humanitarian assistance to support programmes at all levels of government that address poverty, youth unemployment and women's lack of empowerment;
4. Believes that the fight against corruption must be led by the Nigerian authorities, and believes that a failure to do so would mean more years of poverty, inequality, reputational damage, reduced external investment and an undermining of young people's life opportunities; further offers its support in achieving this objective and in seeking to break the link between corrupt practices and terrorism;
5. Commends the efforts made by the Buhari government to reinforce its anti-corruption credentials and in mandating that all government financial transactions pass through a single bank account in order to monitor spending; calls for the EU and its Member States to take concrete measures to effectively curb illicit financial flows and tax evasion and avoidance, and to boost democratic international cooperation in tax matters;
6. Expresses solidarity with the people of Nigeria who are suffering from the acts of terrorism perpetrated by Boko Haram, which have led to thousands of deaths and displaced more than two million people; urges the Nigerian Government to take all necessary measures to ensure the protection of its civilians in accordance with its regional and international human rights obligations, including by launching comprehensive, independent and effective investigations into such crimes;
7. Strongly condemns the recent violence and attacks by Boko Haram, and calls on the Federal Government to protect its population and address the root causes of the violence by ensuring equal rights for all citizens, including by addressing the issues of inequality, control of fertile farmlands, unemployment and poverty; rejects any violent retaliation in breach of humanitarian law perpetrated by the Nigerian military; welcomes, however, the Nigerian Army's 'Safe Corridor' programme designed to rehabilitate Boko Haram fighters;
8. Deplores the massacre of innocent women, men and children, the acts of rape and torture, and the recruitment of child soldiers, and stands with the people of Nigeria in their determination to fight all forms of violence in their country;
9. Calls on the Nigerian Government to develop a comprehensive strategy that addresses the root causes of terrorism, and to investigate, as promised, evidence that the Nigerian military might have committed human rights violations; welcomes the Abuja Security Summit, to take place in May 2016, and calls on all stakeholders to identify concrete, viable solutions to fight terrorism without sacrificing respect for human rights and democracy; further underlines the importance of regional cooperation in addressing the threat posed by Boko Haram;
10. Calls for an international investigation, under the auspices of the UN, to determine the responsibility of third countries in the organisation and financing of terrorist groups in the region, such as Boko Haram;
11. Believes that the second anniversary of the abduction of the Chibok schoolgirls on 14 April should provide fresh impetus for the Nigerian Government and international community to secure their immediate and unconditional release, as well as the release of the 400 women and children abducted from the town of Damasak in November 2014, and all other abducted women and children;
12. Appeals to the authorities to ensure ease of access to the full range of sexual and reproductive health services for women and girls;



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13. Notes with concern the attacks on schools in northern Nigeria, which are denying children educational opportunities and risk fuelling the radicalisation on which violent extremist groups such as Boko Haram depend;
  14. Notes that Boko Haram has attacked Muslims, Christians, followers of other religions and people of no faith without distinction, and condemns the surge in violence, including the targeting of religious institutions and worshippers;
  15. Further condemns the attacks on farmers and the inter-ethnic conflicts between cattle herders and farmers in the Middle Belt area, in particular in the states of Plateau and Taraba, which have been marked by serious human rights violations and have killed thousands since 2014;
  16. Calls on the Nigerian Government and international partners to increase investment in preventing and resolving intercommunal conflicts between cattle herders and farmers by supporting cooperation through shared economic and natural resource management initiatives;
  17. Calls on President Buhari to ensure that his government defends Nigerians' right to worship freely, and the rights of all its citizens more widely, in line with the country's laws and Constitution, and asks Nigeria's religious leaders to help combat extremism and radicalisation;
  18. Urges the VP/HR and the Member States to remain committed to their diplomatic efforts in Nigeria, in order to achieve peace, security, good governance and respect for human rights; urges them, in particular, to continue political dialogue with Nigeria under Article 8 of the revised Cotonou Agreement and, in that context, to address issues relating to universal human rights, including freedom of thought, conscience, religion or belief, and non-discrimination on any grounds, as enshrined in universal, regional and national human rights instruments;
  19. Requests that the Nigerian authorities reject the bill to prohibit frivolous petitions and other matters connected therewith, which is currently before the Nigerian Senate, as it undermines press freedom and freedom of expression in Nigeria;
  20. Calls on the Nigerian Government and regional authorities to stop criminalising the Nigerian LGBTI community and to guarantee their right to freedom of expression;
  21. Calls on the Nigerian Government to take emergency measures in the Niger Delta, including actions to end illegal oil-related activities;
  22. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, the President of the Federal Republic of Nigeria, the Chairman of the African Union, the ACP-EU Joint Parliamentary Assembly, the Pan-African Parliament and representatives of ECOWAS.
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P8\_TA(2016)0133

## 2015 Report on Turkey

### European Parliament resolution of 14 April 2016 on the 2015 report on Turkey (2015/2898(RSP))

(2018/C 058/19)

*The European Parliament,*

- having regard to the 2015 Commission report on Turkey (SWD(2015)0216),
- having regard to the Council conclusions of 15 December 2015 on the enlargement and stabilisation and association process and to previous relevant Council and European Council conclusions,
- having regard to the Commission communication of 10 November 2015 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Enlargement Strategy (COM(2015)0611),
- having regard to Council Decision 2008/157/EC of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey ('the Accession Partnership'), and to the previous Council Decisions of 2001, 2003 and 2006 on the Accession Partnership,
- having regard to the joint statement following the EU-Turkey Summit of 29 November 2015 and the EU-Turkey Action Plan,
- having regard to its resolution of 15 April 2015 on the centenary of the Armenian Genocide <sup>(1)</sup>,
- having regard to the intergovernmental conference of 14 December 2015 during which chapter 17 on economic and monetary policy was officially opened,
- having regard to its previous resolutions on Turkey, in particular those of 10 February 2010 on Turkey's progress report 2009 <sup>(2)</sup>, of 9 March 2011 on Turkey's 2010 progress report <sup>(3)</sup>, of 29 March 2012 on the 2011 progress report on Turkey <sup>(4)</sup>, of 18 April 2013 on the 2012 progress report on Turkey <sup>(5)</sup>, of 13 June 2013 on the situation in Turkey <sup>(6)</sup>, of 12 March 2014 on the 2013 progress report on Turkey <sup>(7)</sup>, of 13 November 2014 on Turkish actions creating tensions in the exclusive economic zone of Cyprus <sup>(8)</sup>, of 15 January 2015 on freedom of expression in Turkey <sup>(9)</sup> and of 10 June 2015 on the 2014 Commission progress report on Turkey <sup>(10)</sup>,
- having regard to its call on the Commission, in its resolution on the 2014 Commission progress report on Turkey, to reassess the way in which negotiations have been conducted so far and how EU-Turkey relations and cooperation could be improved and intensified,
- having regard to the Negotiating Framework for Turkey of 3 October 2005,

<sup>(1)</sup> Texts adopted, P8\_TA(2015)0094.

<sup>(2)</sup> OJ C 341 E, 16.12.2010, p. 59.

<sup>(3)</sup> OJ C 199 E, 7.7.2012, p. 98.

<sup>(4)</sup> OJ C 257 E, 6.9.2013, p. 38.

<sup>(5)</sup> OJ C 45, 5.2.2016, p. 48.

<sup>(6)</sup> OJ C 65, 19.2.2016, p. 117.

<sup>(7)</sup> Texts adopted, P7\_TA(2014)0235.

<sup>(8)</sup> Texts adopted, P8\_TA(2014)0052.

<sup>(9)</sup> Texts adopted, P8\_TA(2015)0014.

<sup>(10)</sup> Texts adopted, P8\_TA(2015)0228.

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- having regard to the declaration issued by the European Community and its Member States on 21 September 2005, including the provision that the recognition of all Member States is a necessary component of the negotiations, and the need for Turkey to fully implement the Additional Protocol to the Ankara Agreement by removing all obstacles to the free movement of goods without prejudice and discrimination,
  - having regard to the fact that Turkey's accession to the EU depends on full compliance with the Copenhagen criteria and the EU's integration capacity, in accordance with the conclusions of the European Council meeting of December 2006,
  - having regard to Article 46 of the European Convention on Human Rights (ECHR), which states that the contracting parties undertake to abide by the final judgments of the European Court of Human Rights (ECtHR) in any case to which they are parties,
  - having regard to the Charter of Fundamental Rights of the European Union,
  - having regard to the crisis in Syria, the efforts towards a ceasefire and a peaceful settlement, and Turkey's obligations to enhance stability and promote good neighbourly relations through intensive efforts in order to resolve outstanding bilateral issues, disputes and conflicts with its neighbouring countries over land and maritime borders and airspace, in accordance with the UN Charter and the values and principles upon which the EU is founded,
  - having regard to the fact that respect for the rule of law, including in particular the separation of powers, democracy, freedom of expression, human rights, the rights of minorities and religious freedom, are at the core of the negotiation process,
  - having regard to the approval of EUR 3 billion for the management of the refugee crisis in Turkey, with EUR 1 billion coming from the EU budget and the rest from the Member States,
  - having regard to the work of Kati Piri as the standing rapporteur on Turkey of the European Parliament's Committee on Foreign Affairs,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the accession negotiations with Turkey were opened on 3 October 2005, and whereas the opening of such negotiations is the starting point for a long-lasting and open-ended process based on fair and rigorous conditionality and a commitment to reform;
- B. whereas the EU should remain the anchor for reforms in Turkey, given the transformative power of accession negotiations and the enlargement process;
- C. whereas, in accordance with the conclusions of the European Council meeting of December 2006, there should be full compliance with the Copenhagen criteria and the EU's integration capacity; whereas Turkey has committed itself to the fulfilment of the Copenhagen criteria, adequate and effective reforms and progressive alignment with the EU acquis; whereas these efforts should be viewed as an opportunity for Turkey to strengthen its institutions and continue its process of democratisation and modernisation;
- D. whereas respect for the rule of law is at the core of the negotiation process, including in particular the separation of powers, freedom of expression and of the media, human rights and democracy, the fight against corruption and organised crime, good neighbourly relations, freedom of religion, freedom of association and peaceful protest, the rights of minorities, the rights of women, and tackling discrimination against vulnerable groups such as Roma, people with disabilities, and lesbian, gay, bisexual, transgender and intersex (LGBTI) people;

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- E. whereas, regarding the political criteria, the pace of reforms has slowed down and there has been significant backsliding in the areas of freedom of expression and freedom of assembly;
- F. whereas Turkey still has one of the highest number of imprisoned journalists in the world;
- G. whereas, according to the ranking made by Freedom House for freedom of the press and media, Turkey is still ranked as not having a free press and its internet freedom as being only partly free;
- H. whereas the security situation in Turkey is rapidly deteriorating, both internally and externally;
- I. whereas Turkey has faced multiple terrorist attacks, attributed to the so-called Islamic State of Iraq and the Levant (ISIL)/ Daesh, in Diyarbakir, Suruc, Ankara and Istanbul, in which a total of 150 innocent people lost their lives;
- J. whereas the Russian bombing of Aleppo and other parts of Syria is resulting in large numbers of additional refugees seeking protection in Turkey;
- K. whereas the EU and Turkey have agreed to reinvigorate the negotiation process and to cooperate intensively on migration;
- L. whereas the Turkish population has been admirably hospitable to the large number of refugees living among them; whereas Turkey hosts the largest refugee population in the world, with approximately 2,7 million registered refugees from Syria, Iraq and Afghanistan, according to the UNHCR;
- M. whereas the Turkish authorities did not agree to the reopening of the Orthodox Seminary on the island of Heybeliada;

**I. State of play in EU-Turkey relations**

1. Is deeply concerned, in the light of the backsliding on respect for democracy and rule of law inside Turkey, that the overall pace of reforms in Turkey has slowed down considerably in recent years, and that in certain key areas, such as the independence of the judiciary, freedom of assembly, freedom of expression, and respect for human rights and the rule of law, there has been a regression moving increasingly away from meeting the Copenhagen criteria to which candidate countries must adhere;
2. Underlines that Turkey is a key strategic partner for the EU and that active and credible negotiations would provide a suitable framework for exploiting the full potential of EU-Turkey relations; takes note of the reinvigoration of the negotiation process by the EU and hopes that the opening of chapters will lead to concrete progress; calls, in this connection, for concrete progress and a genuine commitment on Turkey's part; reiterates its call on the Commission to reassess the way in which negotiations have been conducted so far and how EU-Turkey relations and cooperation could be improved and intensified; strongly supports a structured, more frequent and open high-level political dialogue on key thematic issues of joint interest such as migration, counter-terrorism, energy, economy and trade;
3. Believes that the postponement of the Commission's 2015 progress report until after the November 2015 Turkish elections was a wrong decision, as it gave the impression that the EU is willing to go silent on violations of fundamental rights in return for the Turkish Government's cooperation on refugees; asks the Commission to commit itself to publishing the annual progress reports in accordance with a specific and fixed timetable; calls on both the Commission and the Council not to ignore internal developments in Turkey and to clearly stand up for respect for the rule of law and fundamental rights in Turkey, as stipulated in the Copenhagen criteria, and irrespective of other interests;

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4. Takes note of the results of the parliamentary elections held on 1 November 2015 and the formation of a new government; reiterates its call for the 10 % electoral threshold to be lowered, and calls for transparency in the financing of political parties and electoral campaigns; commends the active participation of civil society volunteers during elections and the high voter turnout; condemns, however, the intimidation and harassment of the media and discrimination of opposition parties in terms of pre-election coverage, the atmosphere of violence and intimidation, marked in particular by attacks on individual candidates and opposition party offices, particularly that of the People's Democracy Party (HDP), and the intense political polarisation; welcomes the fact that the Turkish Grand National Assembly has become more inclusive for minority groups in Turkey as a result of the last two elections and despite the 10 % threshold;

5. Calls for the customs union to be upgraded and for its scope to be expanded to cover new sectors, including agricultural products, services and public procurement; takes note that the negotiations on this are set to start in the second half of 2016; recalls that the customs union can only reach its full potential when Turkey fully implements the Additional Protocol vis-à-vis all Member States; is of the view that Turkey's interests should be considered in future free trade agreements signed by the EU with third parties, in particular in the case of the EU-US Transatlantic Trade and Investment Partnership (TTIP) negotiations; calls for the free movement of people to be improved and for increased intercultural exchanges;

6. Takes positive note of the intensified political dialogue between the EU and Turkey in the area of foreign and security policy and of Turkey's increased alignment with EU declarations and Council decisions in 2015; regrets that Turkey did not align with the Council's decision following the illegal annexation of Crimea by the Russian Federation and the events in Eastern Ukraine, including the restrictive measures;

7. Reiterates that Turkey should further align its foreign policy with that of the EU in accordance with the provisions of the Negotiating Framework; considers it essential to increase exchanges of information on foreign-policy issues and invite the Turkish Foreign Minister to attend meetings of the Foreign Affairs Council whenever relevant; recalls Turkey's strategic importance for the EU's energy security as a key transit country; considers the rapid development of energy cooperation and the broadening of the energy transit corridor through Turkey to the European Union to be essential;

8. Reiterates the need to strengthen good neighbourly relations, which constitute a fundamental part of the Negotiating Framework and an essential element of the enlargement process; calls on Turkey, in this connection, to step up efforts to resolve outstanding bilateral issues, including unsettled legal obligations and disputes with its immediate neighbours over land and maritime borders and airspace, in accordance with the provisions of the UN Charter and with international law; calls on the Turkish Government to sign and ratify the United Nations Convention on the Law of the Sea (UNCLOS); urges the Turkish Government to end the repeated violations of Greek airspace and territorial waters, as well as the practice of Turkish military aircraft flying over Greek islands; expresses its regret that the *casus belli* threat declared by the Turkish Grand National Assembly against Greece has not yet been withdrawn; urges Turkey and Armenia to proceed to normalise their relations by establishing diplomatic relations without preconditions, and calls for opening the Turkish-Armenia border, which could lead to improved relations, with particular reference to cross-border cooperation and economic integration;

## ***II. Respect for the rule of law, democracy, human rights and fundamental freedoms***

9. Takes the view that, in keeping with the EU's commitment to the rule of law and fundamental values, reforms in the areas of the judiciary and fundamental rights and of justice, freedom and security are urgently needed in Turkey; calls, without prejudice to Member States' positions, on the Council of the EU to propose, once the official opening benchmarks are met, the opening of chapters 23 (judiciary and fundamental rights) and 24 (justice, freedom and security) and to ensure that the reform process in Turkey is shaped on the basis of EU values and standards; calls on Turkey to engage fully with the Council of Europe and with the Venice Commission in the areas of judicial reform;

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10. Deplores the serious backsliding, over the past two years, on freedom of speech, expression and opinion both online and offline in Turkey, which is ranked 149<sup>th</sup> out of 180 countries in the latest Reporters Without Borders World Press Freedom Index; recalls that, according to the Turkish authorities' own figures, Turkey is the country which holds the record for the highest number of journalists behind bars; reiterates that freedom of opinion, expression and speech, including independent media, are core European values; welcomes the ruling of the Constitutional Court that the rights of Can Dündar and Erdem Gül had been violated; recalls that they still face trial, with prosecutors demanding multiple life sentences, expresses concern about the decision to exclude the public for the whole duration of the trial, and calls for a thorough and objective investigation into the journalist's allegations regarding the transport of weapons to Syria; condemns recent statements by the President of Turkey against the Constitutional Court; calls for the immediate release of all jailed journalists and encourages European diplomats to continue to monitor closely all criminal cases against journalists; deplores the personal attacks by leading government officials against journalists and opponents, and the increasingly authoritarian tendencies of the Turkish leadership; urges Turkey to act against intimidation of journalists in all its forms, in particular by investigating all physical attacks and threats against journalists and actively preventing attacks against media outlets, but also by defusing the tense political climate which creates an environment curtailing freedom of speech in the media and on the internet;

11. Notes the Corruption Perceptions Index 2015 released by Transparency International on 27 January 2016, which shows an increase in corruption in Turkey during the past year and which now ranks Turkey 66<sup>th</sup>; underlines the need for the Turkish Government to send out clear and consistent signals that it is truly intent on combating corruption at all levels of power;

12. Recalls that the fight against corruption should be one of Turkey's priorities; calls on Turkey therefore to update the anti-corruption strategy and action plan, to establish an independent anti-corruption body and to build a credible track record of investigations, prosecutions and convictions, including high-level cases;

13. Calls for the independence of the media of Koza İpek Holding and the Feza media group to be restored and for all government representatives to be removed from the boards of directors, for the dozens of sacked employees who expressed their dissatisfaction at the government takeover to be reappointed, and for the charges of terrorism to be withdrawn;

14. Condemns the violent and illegal takeover of several Turkish newspapers, including Zaman most recently, and expresses its concern about the decision of Digiturk, allegedly based, inter alia, on political grounds, to stop transmitting television channels; calls on the Turkish Government to end the political and economic pressure on independent media; strongly condemns verbal and physical attacks and the increasing use of defamation and anti-terror legislation against journalists; notes the content bans for online and offline reporting, as well as the practice of website blocking, particularly of social networks, which have led to self-censorship among journalists fearing that criticising the authorities would further increase reprisals; is very concerned about the blocking of tens of thousands of websites, the amendments adopted in March 2015 to the 'Internet Media Regulation Law', and the authority of the Telecommunications Directorate (TIB) that allows the blocking of websites within four hours for a variety of vague reasons; is concerned at the fact that the Turkish satellite provider Turksat halted broadcasts by IMC TV on Friday, 26 February 2016 at the request of an Ankara prosecutor investigating whether the channel supported a 'terrorist' group; expresses its concern about exceptionally high tax fines imposed on media organisations; calls for a revision of the law on the internet to support an environment conducive to freedom of speech on the internet and protection of privacy and personal rights; condemns attempts by Turkish government officials to intimidate and, in some cases, deport several international journalists; calls for an independent investigation into the murders on Turkish soil of journalists Naji Jerf and Ibrahim Abdel Qader and Fares Hammadi from the blog about Syria 'Raqqa is Being Slaughtered Silently'; deplores, furthermore, the investigations, arrests, prison sentences and punitive fines for allegedly insulting the head of state, based on Article 299 of the Penal Code; calls on the Turkish Government to address these issues as a matter of urgency and priority with a view to safeguarding pluralism in line with international standards; considers an open public debate to be a key element of any healthy democracy;

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15. Calls on the Turkish Government to adopt a sound data protection law and establish an independent data protection authority, in line with European standards, creating the necessary conditions for efficient and effective international police and judicial cooperation and sharing of information, and contributing, at the same time, to meeting the criteria for visa liberalisation; calls on the Turkish authorities to clearly define exceptions to the scope of the law, in particular on the processing of health-related data, and to put in place a selection procedure that guarantees the independence of the members of the data protection authority;

16. Reiterates its concern about the anti-terrorism law, in particular its broad and excessively vague definition of terrorism, organised crime and propaganda, making it manifestly impossible to determine the precise nature of such offences; insists that criminal and anti-terror legislation needs to be in line with ECtHR case law, which should be fully respected and implemented by Turkey; calls on Turkey to create a political and legal environment that allows the judiciary to perform its duties in an independent and impartial manner, also in practice, so that it does not become an instrument for the repression of internal dissent; calls on Turkey to implement all judgments of the European Courts; expresses concern about the numerous reassignments, unwilling transfers and dismissals of judges and prosecutors, which undermines the independence, impartiality and efficiency of the judiciary, as well as respect for the principles of due process and separation of powers; calls for the urgent restoration of the separation of powers and meaningful steps to ensure full independence of the judiciary; deplors the perversions of the course of justice to the benefit of certain politicians which became commonplace in Turkey in the aftermath of the 2013 corruption scandal; underlines that the role and influence of executive power within the High Council of Judges and Prosecutors must be limited and that sufficient guarantees against transfers of judges against their will are needed;

17. Recalls that Turkey's extraordinary economic growth over the past decade has led to an unprecedented boom in housing and infrastructure, often at the expense of environmental and conservation concerns; expresses its particular concern about the various megaprojects in the country, and urgently appeals to the government to operate with environmental and social impact assessments and to duly involve the local population in the project design so that long-term negative effects of urbanisation, consumption of space and environmental degradation can be avoided to the extent possible;

18. Takes the view that the constitutional reform process should develop into a secular, pluralistic, inclusive and tolerant society; underlines that a new Constitution should be based on widespread consensus across the political spectrum and in society as a whole, with full respect for the rights of minorities, irrespective of their cultural or religious background, thereby providing a solid base for fundamental freedoms and the rule of law; urges Turkey to fully respect the rule of law and fundamental rights and freedoms, in particular freedom of religious and ethnic minorities; emphasises the need to enact comprehensive anti-discrimination legislation, including the prohibition of discrimination and hate speech on the grounds of ethnicity, religion, sexual orientation, gender or gender identity, and to include the prohibition of such discrimination in a new Constitution; underlines that this should not prevent Turkey from granting specific rights to citizens on the basis of ethnic origin, religion or language, so that they can preserve their identity; notes, in this connection, that further action is needed to address the problems faced by members of the Greek minority, in particular with regard to education and property rights; urges the Turkish authorities to take judicial measures against the people and bodies responsible for committing any sort of hate crime, including anti-Semitism, as was declared in the government's 'Democratisation Package' in 2013; condemns the passive attitude of the Turkish Government towards the serious threats against Christians and their pastors in social media; expects the Turkish Government to treat every Turkish citizen without any prejudice towards his or her religious belief; calls on the Turkish authorities, given that Turkey has the world's largest population of the Roma minority, to implement concrete and effective measures to achieve de facto equal rights for Roma in Turkish society and to improve the situation of Roma, with special attention to the situation of Roma children and the inclusion of Roma women;

19. Calls on Turkey to continue working closely with the Commission on new legislation under preparation and on the implementation of existing laws, in order to ensure compatibility with the EU acquis;

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20. Underlines the need to fully respect, in line with European values, the right to different lifestyles, secular as well as faith-based ones, and to maintain the separation of state and religion;

21. Stresses the importance of continuing the reform process in the area of freedom of thought, conscience and religion, by enabling religious communities to obtain legal personality, by eliminating all restrictions on the training, appointment and succession of clergy, by complying with the relevant judgments of the ECtHR and the recommendations of the Venice Commission and by eliminating all forms of discrimination or barriers based on religion; calls on Turkey to respect the distinct character and importance of the Ecumenical Patriarchate and to recognise its legal personality; reiterates the need to allow the reopening of the Halki Seminary and lift all obstacles for its proper functioning and to also allow the public use of the ecclesiastical title of the Ecumenical Patriarch;

22. Calls on the Turkish Government to halt its plans for the construction of the Akkuyu nuclear power plant; points out that the envisaged site is located in a region prone to severe earthquakes, hence posing a major threat not only to Turkey but to the Mediterranean region as a whole; requests accordingly that the Turkish Government join the Espoo Convention, which commits its parties to notifying and consulting each other on major projects under consideration that are likely to have a significant adverse environmental impact across boundaries; asks the Turkish Government to involve, or at least consult, the governments of its neighbouring countries, such as Greece and Cyprus, during any further developments in the Akkuyu venture;

23. Expresses concern at the high levels of violence against women and the lack of implementation of domestic law in order to prevent and protect women from violence; further insists that the authorities effectively enforce existing laws concerning violence against women and domestic abuse, a widespread problem both in rural and urban areas, address the underreporting of gender-based violence, provide support services and shelter to victims of such violence and impose sanctions on perpetrators, and increase social awareness and tackle societal acceptance of gender-based violence; strongly recommends that the government promote gender equality in the political, economic, social, cultural, civil or any other field;

24. Calls on Turkey to undertake serious efforts to protect the rights of the LGBTI community; expresses strong concern at the lack of protection provided to LGBTI people against acts of violence; stresses, in this connection, its disappointment at the failure to include protection against hate crimes on the grounds of sexual orientation and gender identity in the Hate Crimes Bill; regrets that hate crime against LGBTI people often remains unpunished, or that offenders' sentences are reduced on account of the victim's alleged 'unjust provocation';

### III. *Kurdish peace process and the situation in the southeast of Turkey*

25. Expresses deep concern about the deteriorating situation in the southeast of Turkey; recalls that the Turkish Government has a responsibility to protect all people living on its territory, irrespective of their cultural or religious origins; acknowledges Turkey's legitimate right to fight against terrorism, subject to international law; stresses, however, that security measures must be conducted with respect for the rule of law and human rights; underlines that all operations by security forces must be proportional and not take the form of collective punishment; condemns the misconduct of special security forces and calls for the perpetrators to be brought to justice; calls for humanitarian law to be enforced so that all the injured may receive the care to which they are entitled;

26. Condemns and does not find justified the return to violence by the PKK, which is on the EU's list of terrorist organisations; stresses that there is no violent solution to the Kurdish question and urges the Turkish Government to take its responsibility to resume negotiations with a view to achieving a comprehensive and sustainable solution to the Kurdish issue; calls on the PKK to lay down its arms, abandon terrorist tactics and use peaceful and legal means to voice its expectations; strongly condemns attacks against security forces and civilians; expresses serious concern, in this connection, at the building of barricades and the digging of trenches by YDG-H militants; insists, however, that peaceful protests must be allowed;



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27. Calls on the Turkish authorities to immediately lift the curfews that have been implemented in breach of the Turkish Constitution; expresses particularly grave alarm at the situation in Cizre and Sur/Diyarbakır, and condemns the fact that civilians are being killed, wounded and left without water, food and medical attention; calls on Turkey to allow the International Red Crescent to alleviate the humanitarian crisis unfolding in Cizre and Diyarbakır; urges the government to allow the wounded to be taken to hospital, by complying with the interim measures of the ECHR, and to secure a safe way out to civilians in cities under curfew; is deeply concerned about the rising number of civilian deaths and injured, which need to be thoroughly investigated, and the fact that around 400 000 people have become internally displaced; underlines that, as an act of human dignity, families must be allowed to retrieve the bodies on the streets and bury them; underlines the Turkish Government's responsibility to ensure human rights and provide security and access to goods and services to the entire civilian population in the predominantly Kurdish parts of Turkey afflicted by fighting; asks the Turkish Government to put in place a formal mechanism for urgent aid and compensation for those who have had to flee their homes, become unemployed and lost their livelihoods; regrets the destruction of historical heritage;

28. Notes with concern the urban transformation and relocation projects in conflict-hit areas recently unveiled by the Turkish Government and regrets the decision on widespread expropriation in the Sur district of Diyarbakır, including properties belonging to the municipality and also church properties, which would be a violation of the rights of religious minorities; calls on the Turkish Government to respect the cultural distinctiveness of the region and to refrain from further empowering the centralised local government structure in the region; calls for a revision of the expropriation decision and reconstruction plans by entering into a dialogue and cooperation with the district and metropolitan municipalities and respecting the rights of the residents and property owners;

29. Is dismayed by the actions of special operations police forces known as 'Esedullah teams', which appear to be responsible for grave human rights violations, including the deliberate killing of civilians in the southeast of Turkey; demands a thorough investigation by the Turkish authorities into the actions of the 'Esedullah teams', and full accountability and punishment of those guilty of human rights violations;

30. Calls for an immediate ceasefire and the resumption of the peace process in order to achieve a negotiated solution to the Kurdish issue; underlines the priority of making progress towards democratisation and reconciliation; calls, in this connection, for the establishment of a special committee in the Turkish Grand National Assembly for the resolution of the Kurdish question, in order to contribute to a lasting peace by reinstating a feeling of justice and healing the traumas which are vulnerable to political abuse; urges the EU to take an active role in the peace process without delay; underlines the importance of giving priority to enhancing the social, cultural and political rights and equal treatment of people of Kurdish origin; reiterates its call for Turkey, as a member of the Council of Europe, to lift its reservations to the European Charter of Local Autonomy with a view to ensuring its full implementation in all its aspects;

31. Strongly deplores the intimidation and prosecution of more than 1 000 academics who signed a petition calling for peace; condemns the dismissal or suspension of almost 50 of them, as well as the imprisonment of another four of the signatories; underlines that the individuals responsible for the killing of lawyer Tahir Elçi — who dedicated his life to peace and human rights — must be brought to justice; expresses serious concern about the judicial investigations targeting mainly HDP members, as well as the ongoing imprisonment and dismissal of local mayors, including 25 co-mayors, and the threats hanging over many Kurdish politicians;

32. Strongly condemns the terrorist attacks attributed to ISIL/Daesh in Diyarbakır, Suruc, Ankara and Istanbul; expresses its solidarity with the victims and their families and with the citizens of Turkey on the frontline of the fight against extremism; equally strongly condemns the bomb blasts in Ankara on 17 February 2016, for which the militant group TAK (Kurdistan Freedom Hawks) claimed responsibility, as well as the attack in Ankara on 13 March 2016, and expresses its condolences to the victims' families and the bereaved; stresses the importance of conducting thorough investigations into these attacks with a view to bringing the perpetrators to justice; believes that stronger cooperation between Europol and Turkish law enforcement agencies is key to effectively combating terrorism;

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33. Welcomes Turkey's participation in the Global Coalition to Counter ISIL and the opening of its bases to the United States and coalition forces; urges Turkey to act with the necessary restraint and in full cooperation with its Western allies;

34. Urges Turkey to continue to increase its efforts to prevent foreign fighters, money and equipment from reaching ISIL/Daesh and other extremist groups via its territory; is concerned that the Turkish authorities might not have taken all possible measures to stop and prevent ISIL/Daesh activities, in particular to combat illegal oil trafficking across its borders; asks the EU to enhance its capacity to exchange information and to cooperate closely with the Turkish authorities in this matter in order to give further support to combating smuggling networks; notes shortcomings in the arrest of foreign fighters and in controlling borders with Iraq and Syria;

35. Welcomes Turkey's support and contribution to the agreement reached between major powers to cease hostilities in Syria and provide humanitarian aid to people in need; commends it as an important step toward resolving the Syrian crisis; notes that the cessation of hostilities should apply to all parties in conflict other than groups designated as terrorist organisations by the UNSC; calls on all parties to swiftly implement these commitments in full; recalls its belief that there is no military solution to the Syrian conflict and insists on the need to reach a political solution; condemns Turkey's military intervention against Kurdish forces in northern Syria, which undermines the fight against ISIL/Daesh and jeopardises peace and security efforts;

#### ***IV. EU-Turkey cooperation on the refugee / migration crisis***

36. Supports a renewed political engagement between the EU and Turkey on geopolitical challenges, in particular the refugee and migration crisis; acknowledges Turkey's great humanitarian contribution in hosting the largest refugee population in the world; urges the EU and Turkey to join forces in improving and ensuring decent living conditions and basic capacities of refugee camps and to facilitate the work of the United Nations Refugee Agency (UNHCR), in order to avoid the massive exodus of migrants; urges the EU to continue to work with Turkish government officials to ensure correct documentation of migrants; recalls that Turkey is one of the key transit countries for migrants and refugees travelling to the EU, not just from Syria but from many other countries; stresses the importance of cooperating with Turkey in managing the refugee crisis and preventing losses of life at sea; welcomes the NATO monitoring mission in the Aegean Sea;

37. Welcomes the activation, on 29 November 2015, of the EU-Turkey Joint Action Plan on refugees and migration management, as part of a comprehensive cooperation agenda based on shared responsibility, mutual commitments and delivery, and insists on the need to implement it immediately; emphasises that EU-Turkey cooperation on migration should not be linked to the calendar, content and conditionality of the negotiation process; believes that outsourcing the refugee crisis to Turkey is not a credible long-term solution to the problem; calls on EU Member States' solidarity to increase the number of countries that will accept refugees for resettlement in a spirit of burden and responsibility sharing;

38. Stresses that the EUR 3 billion, and additional funding, of the Refugee Facility for Refugees in Turkey will have to be properly utilised in order to swiftly and directly benefit refugees and their host communities through the implementation of projects meeting immediate food, healthcare, sanitation and education needs; calls for the full involvement of Parliament in the decision-making process as a co-legislator and budgetary authority; urges swifter disbursement of the pledged funds; calls on the Commission and the Member States to ensure, in cooperation with Turkey, that a mechanism is put in place to check that funds are used properly to this end, that this mechanism will be closely monitored and that the European Parliament will be regularly informed by the Commission on the use of the funds; underlines the need to pay special attention to vulnerable groups such as women and children, particularly orphans, and religious minorities such as Christians and Yazidis; emphasises the urgent need to address gender-related violence and abuse against women and girls on the migrant routes crossing Turkey;

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39. Commends the recent decision of the Turkish Government to open its labour market to Syrian refugees; encourages more urgent action to ensure that all 700 000 Syrian children receive education; praises the Turkish Government for providing Syrian refugees with free health services and education; deplores the fact that the UNHCR's appeal to increase funding has not been met and that the World Food Programme had to reduce its nutrition ratio to 80 % because of reduced funds; praises Turkey for unilaterally filling this financial gap and calls on the Member States and the EU to increase funds to the UN agencies and their partner NGOs in Turkey;

40. Appreciates that Turkey has, until recently, maintained an openborder policy for Syrian refugees; commends the entry into force of new rules in the Turkish visa regime, which already paved the way for a sharp decrease in irregular crossings; stresses, however, that a much stricter visa policy, in line with EU visa policy, must be applied vis-à-vis countries representing a major source of illegal migration, in order to curb the influx of migrants who are in no need of international protection via Turkey into Europe; underlines that Turkey needs every assistance in tightening its border security and to step up its fight against human smugglers; calls on Turkey to show zero tolerance and take effective measures to stop traffickers of human beings and the flow of refugees towards the Greek islands resulting in severe humanitarian, political, social and security issues within the EU; encourages more cooperation between Turkey, Bulgaria and Greece in the area of search and rescue operations in the Aegean Sea, and calls on Frontex to offer its support to the Turkish coast guard and enhance the bilateral exchange of information; acknowledges that measures against criminal smuggling can only be effective in conjunction with the introduction of safe and legal routes for refugees and asylum seekers to enter the European Union;

41. Underlines that stemming migration to the EU should not lead to pushbacks of refugees or illegal detention; calls on the Commission, as regards the EU-Turkey Joint Action Plan, to investigate the allegations made by Amnesty International in their report dated 1 April 2016 that Turkey is conducting forced returns of Syrian refugees; insists that all forced return procedures from Greece to Turkey must be fully in line with international and EU law relating to access to asylum and international protection and the implementation of fundamental rights and procedural guarantees; calls, in this regard, on the Commission to closely follow the way in which the Turkish authorities implement the agreement and whether the principle of non-refoulement is respected in the case of persons returned to Turkey; reiterates its call on the Turkish Government to lift the geographic reservation to the 1951 Geneva Convention; insists that it is crucial to put in place safe and legal routes for refugees, and urges the Member States to increase their resettlement efforts substantially; is of the opinion that it is imperative to find a political solution to the Syrian crisis; urges Turkey to increase substantially its efforts to find a political solution, namely to overcome its reservations against the participation of the Kurds in the peace talks in Geneva;

42. Welcomes the fact that the Turkish authorities and the UNHCR in Turkey are harmonising their databases for the registration of refugees into one registration system; considers it urgent to look at technical ways to make that database interoperable and compatible with the European database for the registration of asylum seekers, Eurodac; stresses that it is also important that, once refugees leave Turkey to go to Europe, they should be removed from the Turkish database;

43. Stresses that implementation of the readmission agreement vis-à-vis all Member States is crucial for the EU, as it provides an opportunity for a more effective return policy of migrants who are in no need of international protection; welcomes the political agreement reached by the two parties at the EU-Turkey Summit of 29 November 2015 for the EU-Turkey readmission agreement to become fully applicable from June 2016; calls on all parties to implement the existing bilateral readmission agreements fully and effectively and to ensure that the fundamental rights of returned migrants are respected in full;

44. Encourages the government to fully and in a non-discriminatory manner meet the criteria identified in the visa liberalisation roadmap vis-à-vis all Member States; recalls that visa liberalisation is a merit-based process and that only when the standards have been met, will visa-free travel be possible for Turkish citizens; asks the Commission to provide more technical assistance for the fulfilment of the conditions of the visa liberalisation roadmap;

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**V. Progress of the Cyprus reunification talks**

45. Praises the considerable progress achieved in the Cyprus reunification talks, under the auspices of the UN; welcomes the joint declaration of 11 February 2014 by the two leaders as a basis for a settlement; supports the evolvement of the Republic of Cyprus into a bi-communal, bi-zonal federation with single sovereignty, a single international personality and single citizenship with political equality between the two communities and equal opportunities for all its citizens, without prejudging the final agreement, and in line with relevant UN Security Council resolutions and international law; commends the constructive approach of the leaders of both the Greek Cypriot and Turkish Cypriot communities on the island, and their determination and tireless efforts to reach a fair, comprehensive and viable settlement as soon as possible; underlines the importance of the solution of the decades-long Cyprus problem for the whole region, and for Europe/the European Union; welcomes therefore the possibility of a new referendum on reunification and calls on all parties to contribute to a positive outcome;

46. Emphasises that non-settlement of the Cyprus issue affects the development of EU-Turkey relations, and therefore calls on all sides concerned to make an effort towards its resolution;

47. Calls on Turkey to fulfil its obligation of full, non-discriminatory implementation of the Additional Protocol to the EC-Turkey Association Agreement vis-à-vis all Member States, including the Republic of Cyprus, the fulfilment of which could provide a significant boost to the negotiation process;

48. Deplores Turkey's policy of illegal settlement, and calls on it to refrain from further settlement of Turkish citizens in the occupied areas of Cyprus, which is contrary to the Geneva Convention and the principles of international law; urges Turkey to terminate all actions that alter the demographic balance on the island, thus impeding a future solution;

49. Calls on Turkey to refrain from any actions in the exclusive economic zone (EEZ) of Cyprus which might lead to friction and crisis in a very sensitive region and might have negative effects on the negotiations for a democratic solution which would end the unacceptable existing dichotomous status quo; recognises the right of its Member States to sign bilateral and other agreements in the context of their sovereign rights in order to exploit their national resources within their EEZ;

50. Welcomes the agreement by the two leaders on a series of confidence-building measures, including on the opening of two new crossings points and on the interconnection of the electricity grids; notes, however, that there has been little to no progress on mobile phone interoperability; urges both sides therefore to implement all agreed measures without further delay; calls on the EU to fully support the settlement, both politically and financially; calls on Turkey to actively support the negotiation process and a positive outcome; calls on Turkey to begin to withdraw its troops from Cyprus and to transfer the sealed-off area of Famagusta to the UN in accordance with UNSC resolution 550 (1984); commends the fact that access is granted to the Committee on Missing Persons (which deals with both Turkish Cypriot and Greek Cypriot missing persons) to all relevant sites, including military areas; urges Turkey, however, to grant access to relevant archives which would maximise the effectiveness of the committee;

51. Welcomes the initiative of the President of the Republic of Cyprus, Mr Nicos Anastasiades, to make Turkish an official language of the EU, and urges the parties to accelerate this process; notes that the implementation of the EU acquis in the future Turkish Cypriot constituent state upon entry into force of the settlement agreement must already be well prepared; welcomes, in this connection, the establishment of the bi-communal ad hoc committee on EU preparation; encourages both the European Parliament and the Commission to intensify their efforts to engage with Turkish Cypriots in preparation to fully integrate into the EU; encourages the President of the European Parliament to take the necessary steps in the event of a settlement;

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52. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Secretary-General of the Council of Europe, the President of the European Court of Human Rights, the governments and parliaments of the Member States and the Government and Parliament of the Republic of Turkey.

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P8\_TA(2016)0134

**2015 Report on Albania****European Parliament resolution of 14 April 2016 on the 2015 Report on Albania (2015/2896(RSP))**

(2018/C 058/20)

*The European Parliament,*

- having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part,
- having regard to the Presidency conclusions of the Thessaloniki European Council of 19-20 June 2003 concerning the prospect of the Western Balkan countries joining the EU,
- having regard to the European Council decision of 26-27 June 2014 to grant the status of candidate country for EU membership to Albania and to the Council conclusions of 15 December 2015,
- having regard to the seventh meeting of the Stabilisation and Association Council between Albania and the EU, held in Brussels on 18 May 2015,
- having regard to Albania's accession to the North Atlantic Treaty Organisation (NATO) on 1 April 2009,
- having regard to the Final Declaration by the Chair of the Vienna Western Balkans Summit of 27 August 2015 as well as the Recommendations of the Civil Society Organisations for the Vienna Summit 2015,
- having regard to the Commission Communication of 10 November 2015 entitled 'EU Enlargement Strategy' (COM(2015)0611), accompanied by Commission Staff Working Document entitled 'Albania 2015 Report' (SWD(2015)0213),
- having regard to the Joint Conclusions of the fifth High Level Dialogue on the Key Priorities adopted in Tirana on 24 March 2015,
- having regard to the Final Report of the OSCE/ODIHR Election Observation Mission concerning the 21 June 2015 local elections, dated 8 September 2015,
- having regard to the ninth meeting of the EU-Albania Stabilisation and Association Parliamentary Committee (SAPC) held in Brussels on 9-10 November 2015,
- having regard to its previous resolutions concerning Albania,
- having regard to the work of Knut Fleckenstein as the standing rapporteur on Albania of its Committee on Foreign Affairs,
- having regard to Rule 123(2) of its Rules of Procedure,

A. whereas Albania has made steady progress on its path to EU accession;

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- B. whereas (potential) candidate countries are judged on their own merits and the quality of the necessary reforms determines the timetable for accession;
- C. whereas challenges still persist and need to be addressed swiftly and efficiently in order to make further progress on its path to EU accession;
- D. whereas consistent adoption and full implementation of reforms on the five key priorities as well as sustained political commitment are essential to further advance in the EU accession process;
- E. whereas the protection of religious freedom, cultural heritage and the administration of property in accordance with the rule of law are fundamental values of the European Union;
- F. whereas constructive and sustainable political dialogue between political forces on EU-related reforms is essential to making further progress in the EU accession process; whereas fair play, constructive dialogue, cooperation and willingness to compromise between government and opposition is vital for a successful and sustainable reform process;
- G. whereas there exists political consensus and wide public support for the EU accession process in Albania; whereas the success of the reform agenda strongly depends on the existence of a democratic political environment in the country;
- H. whereas sustained progress, especially in the areas of the rule of law, judicial reform, the fight against corruption and organised crime, public administration reform and fundamental rights, is of crucial importance in the reform process; whereas Albania needs to intensify reform efforts in these areas and in other key priorities in order to open accession negotiations and consolidate its democratic transition; whereas the EU has placed the rule of law at the core of its enlargement process and, furthermore, has stressed the need to strengthen economic governance and public administration in all the Western Balkan countries;
1. Welcomes the steady progress made by Albania with respect to the reforms on the key priorities required for opening accession negotiations; encourages the government, the parliament and political parties to maintain the reform momentum and to accelerate the implementation of reforms; calls on them to swiftly proceed with a substantial reform of the judiciary; insists on the importance of proper and timely implementation of these reforms;
2. Calls on all political parties to make further efforts to engage in a more constructive and genuine political dialogue that will allow the adoption and implementation of the key reforms; strongly believes that sustainable cooperation between government and opposition in the parliament is essential for Albania's EU accession process and for meeting the accession criteria; strongly underlines the importance of maintaining their commitment to building a democratic political culture which includes openness to dialogue, negotiation and compromise and the complete exclusion of boycotts and radicalism; welcomes the establishment and work of the National Council for European Integration (NCEI), which is expected to make the EU-related reform process more inclusive; urges the further enhancement of the parliament's capacity to monitor implementation and compliance with the *acquis*;
3. Commends the government and opposition parties alike for their constructive cooperation on, and unanimous adoption in the parliament of, the legislation on the exclusion of criminal offenders from appointment and election to public office ('decriminalisation law'); welcomes the adoption of by-laws in the parliament and calls for swift and thorough implementation of this legislation in spirit and in letter; strongly encourages the parliament to lead by example in implementing the laws in order to enhance citizens' and the business community's trust in their political representatives and in public institutions;

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4. Welcomes Albania's commitment to a comprehensive and thorough reform of the justice system and strongly encourages the Albanian authorities to swiftly continue the preparations for this crucial reform in order to foster the trust of citizens in the justice system; commends the work of the Ad Hoc Parliamentary Committee on Judicial Reform in the preparation of the reform; appreciates the close cooperation with the Venice Commission; encourages further a cooperative attitude on the way to adoption of this reform; calls on all parties, by taking into account the recommendations of the Venice Commission, to work towards a compromise on essential changes to the judiciary, which relate inter alia to the full independence and accountability of judges and prosecutors and the impartiality of the courts, especially the High Court and the Constitutional Court, and the High Council of Justice;

5. Underlines the need to address the current shortcomings in the functioning of the judicial system, including its independence from other branches of power, political interference, selective justice and limited accountability, a high level of corruption, inefficient mechanisms of control, insufficient resources, the overall length of judicial proceedings and the lack of clear professional criteria for appointment and promotion of judges; stresses the need to increase transparency and to implement the relevant recommendations made by the Group of States against Corruption (GRECO) in its fourth-round evaluation report on corruption prevention in respect of judges and prosecutors;

6. Recommends that the Commission closely monitor the progress made in the reform of the judiciary and encourages it to report to Parliament and Council as soon as Albania has sufficiently advanced in this reform and to take into account these conclusions and Albania's progress in the implementation of the five key priorities when considering recommending the opening of accession negotiations;

7. Welcomes the adoption of the 2015-2020 public administration reform strategy and its action plan for 2015-2017, as well as the 2014-2020 public financial management reform strategy; stresses the need for a professional and transparent civil service in order to serve the interests of citizens, to provide better services to citizens and to prepare for efficient conduct of future accession negotiations; notes the efforts towards more citizen-friendly public administration; urges the government to pursue its efforts to enhance administrative capacities, depoliticise public administration, fight corruption in the civil service and improve recruitment procedures based on merit and performance; calls for full and effective implementation of the Civil Service Law and the new Law on Administrative Procedures; calls for the authority, autonomy, efficiency and resources of human rights structures, such as the Ombudsman's Office, to be enhanced; calls for appropriate budget allocations to be made available to the two new Commissioners on Children and the Prevention of Torture; welcomes the adoption of the 2015-2020 decentralisation strategy and of the law on local self-government, which increases the administrative and financial capacities of local government units and provides for consultation between central and local government; notes the need to further clarify the functions and responsibilities of local government and to continue close dialogue with the relevant stakeholders, including representatives of civil society;

8. Continues to be concerned about widespread corruption, particularly in education, healthcare, the judiciary, public procurement, public private partnership concessions, construction and spatial planning, local government and the public service; calls for local government to be strengthened; welcomes the adoption of the 2015-2020 national anti-corruption strategy and the 2015-2017 action plan; calls on the competent authorities to monitor and review the action plan thoroughly, to improve the track record as regards investigation, prosecution and conviction in corruption cases at all levels, to enforce anti-corruption legislation strictly and to enhance the independence of and cooperation between anti-corruption institutions; welcomes the proposal for a law on the protection of whistle-blowers and for improving transparency and control of political party finances; stresses the need to strengthen the capacity of law enforcement agencies to conduct proactive and effective investigations; strongly believes that progress in judicial reform will also substantially enhance the fight against corruption and organised crime;

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9. Notes the government's commitment to fighting organised crime, which has led to a number of successful large-scale law enforcement operations, including in cooperation with the authorities of neighbouring countries and EU Member States; remains concerned, nevertheless, about the low number of final convictions; stresses the need to further develop cooperation between prosecution services and the police and to ensure effective judicial follow-up; calls for adequate resources to be allocated to the police and prosecution services in order to fight organised crime; welcomes recent operations against drug traffickers, but notes that trafficking remains a significant problem for Albania; calls on the competent authorities to strengthen their efforts in the fight against the production and trafficking of drugs and narcotics, including by stepping up international and regional cooperation; calls for stronger cooperation between law enforcement institutions on human trafficking, better protection of and redress for victims, and an improved track record as regards investigation, prosecution and conviction; calls on the competent authorities to intensify their efforts against the trafficking in arms;

10. Notes the assessment and recommendations of the OSCE/ODIHR concerning the electoral process following the June 2015 local elections, when a number of irregularities were identified by international observers; stresses that the 2017 parliamentary elections will be an important test for Albania's EU integration process; calls on the competent authorities to make every effort to prepare for free and fair elections; welcomes the establishment of an ad hoc parliamentary committee on electoral reform in January 2016 and encourages the effective implementation of its recommendations, notably with a view to preparing and conducting the upcoming elections; is concerned about the overall politicisation of the electoral process, and calls on the competent authorities to address, inter alia, procedural shortcomings, including electoral disputes, the independence of electoral commissions, transparency and effectiveness in political party financing, alleged cases of vote-buying and voter intimidation and abuse of state resources, in order to enhance public confidence in the electoral process; notes that the Central Election Commission (CEC) needs to establish clear internal responsibilities for overseeing party finances and go beyond purely formal checks on the statements made by political parties;

11. Welcomes the adoption of a parliamentary resolution on the role of civil society in the country's democratic development and notes the improving cooperation between state institutions and civil society organisations (CSOs), including their participation in meetings of the NCEI; commends the adoption of the roadmap on civil society and encourages its smooth implementation; recommends that steps be taken to institutionalise cooperation with CSOs in order to strengthen democracy and the protection of human rights and civil liberties through public participation and to raise transparency in decision-making; calls on the competent authorities to reduce the administrative burden on CSOs and review tax rules and other relevant regulations with a view to facilitating private donations; calls on the competent authorities to encourage CSOs to actively participate in the supervision of the electoral process and to be involved in the provision of comprehensive and timely information to the public about the EU accession process;

12. Urges the Albanian Government to dedicate particular attention to improving prospects for young people and to invest in modernising and reforming the education system in order to increase employability and professional prospects, particularly for young people; emphasises the need to transform the current brain drain into a brain circulation which supports mobility while at the same time creating a high potential for proper career prospects in Albania; welcomes the IPA support dedicated to education, employment and social policies;

13. Reiterates its call on the competent authorities to proceed with delivering justice for the victims of the events of 21 January 2011;

14. Condemns the mistreatment of suspects in police stations, prison overcrowding and the inadequate medical care and poor conditions in detention facilities;



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15. Recalls that institutional mechanisms to protect children's rights remain poor; urges the authorities to reform the juvenile justice system in a way that it complies with international standards; calls for a significant increase in financial allocations for the child protection system, in particular child protection units (CPU) at local and regional level; deplores that some CPUs have had to stop operating owing to a lack of financial resources; urges the authorities to ensure children's access to CPUs also in rural areas;

16. Commends the climate of religious tolerance in the country, the good cooperation between religious communities and their positive relations with the State; calls on all competent authorities and religious communities to jointly work towards preserving and fostering religious harmony;

17. Recalls, among the key priorities, the need for effective legislative and policy measures to reinforce the protection of human rights, minority rights and anti-discrimination policies; notes that Roma and Egyptians live in difficult conditions and often face social exclusion and discrimination; commends the adoption of the 2015-2020 national action plan for the integration of Roma and Egyptians and more effective implementation of Roma inclusion policies; notes that enrolment and drop-out rates among Roma children and the situation of Roma and Egyptian street children, including cases of forcible eviction of such children without due process or provision of adequate alternative housing, remain a concern; calls for improvements to be made to the protection of children's rights and the juvenile justice system; welcomes the parliamentary resolution on the protection of rights and freedoms of persons belonging to the LGBTI community; notes that the second Tirana Pride event was held without major incidents in June 2015; recommends that provisions discriminating against transgender and intersex persons be removed from existing legislation; calls on the competent authorities to continue improving the climate as regards the inclusion of and tolerance for all minorities in the country, including by enhancing the role of the State Committee on Minorities;

18. Recommends addressing gender inequality, gender discrimination and domestic violence through appropriate mechanisms; welcomes amendments to the Electoral Code adopted in April 2015 which provide for a 50 % gender quota in candidate lists for municipal councils;

19. Notes that the enforcement of property rights remains to be ensured; urges the completion of the process of property registering, restitution and compensation and the effective implementation of the 2012-2020 strategy on property rights; points out that better enforcement of property rights will positively influence local and foreign investment;

20. Re-emphasises the critical importance of a professional, independent and pluralist public service broadcaster and private media; is concerned about widespread self-censorship among journalists, who are sometimes physically obstructed from covering specific events, assaulted, or threatened because of their work, and about cases of direct interference in editorial autonomy; deplores, in this context, that the Balkan Investigative Regional Network has been threatened with a defamation case following its investigations into the criminal past of a mayoral candidate during the local elections in 2015; calls for measures to be taken to strengthen the professional and ethical standards of journalists; calls for enhanced implementation of the Law on Audiovisual Media; stresses the need to enhance the transparency of government advertising in the media and to pursue additional efforts to guarantee the independence of the Audiovisual Media Authority (AMA) and of the public broadcaster; is concerned about changing procedures for the election of the General Director of the Albanian public radio and television broadcaster (RTSh); calls on both government and opposition to ensure the proper functioning of the national broadcaster by identifying a consensual candidate for the position of director; stresses the need to finalise the delayed digitalisation process;

21. Notes that Albania is moderately prepared in developing a functioning market economy; welcomes better tax collection and the government's campaign against informality; is concerned, while noting an increase in employment, about the high level of unemployment, especially youth and long-term unemployment, which is more than 50 % of total unemployment; urges more attention to be given to equal opportunities and further measures to be taken to increase women's employment in the labour market; remains concerned about persistent and significant shortcomings in respect for

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the rule of law, the regulatory environment, property rights enforcement and the fight against corruption which are hampering efforts to improve the business environment; urges Albania to comprehensively tackle the still acute problem of its large shadow economy, linked to widespread corruption, by pursuing effective economic reforms; urges that steps be taken to address weaknesses in contract enforcement and the rule of law, to tackle the still large informal economy and to prioritise its programme of fiscal consolidation and public debt reduction; urges for more support on consumer protection mechanisms;

22. Calls on Albania to make further efforts to align with EU environmental legislation and the requirements of chapter 27; welcomes in this respect the establishment of a National Agency for Protected Areas and an Agency for the Albanian Coast;

23. Calls on the Albanian Government to control the development of hydropower plants in environmentally sensitive areas such as around the Vjosa River and in protected areas and to maintain the integrity of existing national parks; recommends improving the quality of environmental impact assessments, which would allow account to be taken of EU standards as established by the Birds and Habitats Directives and the Water Framework Directive; encourages the Albanian Government to increase transparency through public participation and consultation on planned projects;

24. Calls on Albania to carry out the relevant measurements relating to environmental protection and waste management and to take additional measures against the improper disposal and removal of waste, particularly marine waste;

25. Calls on the government to adopt and implement a national energy strategy; is concerned at Albania's failure to submit a renewable energy action plan to the Energy Community, which triggered an infringement procedure; is equally concerned at the fact that Albania missed its Energy Community deadline to align its law with the 2006 Directive on Energy End-Use Efficiency Services; urges the government to do more on energy efficiency by adopting a new law on energy efficiency in buildings;

26. Commends Albania for remaining a constructive partner in the region and for being proactive in regional cooperation; underlines the importance of ensuring good neighbourly relations, which remain essential; notes positively Albania's commitment to the regional cooperation initiatives taken at the Western Balkans Summits in Berlin in 2014 and Vienna in 2015; welcomes Albania's constructive role in the connectivity agenda; calls on the competent authorities to ensure full and swift implementation of the technical standards and soft measures in the transport sector that were agreed during the 2015 Western Balkans Summit in Vienna, before the next summit, due to take place in Paris in 2016;

27. Welcomes the continued political will to improve relations with Serbia and encourages Albania and Serbia to take further measures to promote regional stability and cooperation and good neighbourly relations; encourages Albania, in light of these efforts, to continue with the development of the Regional Youth Cooperation Office, headquartered in Tirana, which is of paramount importance for further reconciliation in the region, particularly among young people; recommends the speeding-up of the construction of major infrastructure projects such as the rail link and modern highway between Tirana and Skopje as part of Corridor VIII; commends Albania for full alignment with all the relevant CFSP declarations and European Council conclusions and for its readiness to contribute to the European assistance and resettlement schemes for Syrian refugees; urges the government to pursue further efforts to deal with the large number of manifestly unfounded asylum applications lodged with Member States and to take determined action via the post-visa liberalisation monitoring mechanism to engage in closer operational cooperation and information exchange with Member States and neighbouring countries; calls on the government also to consider taking further measures to improve socio-economic living conditions; welcomes the Commission proposal to establish a common EU list of safe countries of origin and supports Albania's inclusion on that list;

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28. Supports, in the context of the Berlin Process, the creation of the Western Balkans Civil Society Forum, which provides an opportunity for civil society representatives from the regions to exchange ideas, voice their concerns and formulate concrete recommendations to decision-makers, and calls for the continuation of this process during the next summit, to be held in Paris in 2016, as well as for the organisation of preparatory workshops involving civil society organisations in the region;

29. Welcomes Albania's commitment to the fight against radicalisation and terrorism and adoption of relevant security strategies and an action plan; welcomes the fact that the updated strategic framework includes a strategy on countering violent extremism; is concerned that Albania, as well as other countries, is affected by the phenomenon of returning foreign fighters, Islamic radicalisation and violent extremism; welcomes, in this connection, measures taken by the Albanian Government to prevent the outflow of foreign fighters to join ISIS in Iraq and Syria; considers it essential to continue to implement an effective policy to prevent Islamic radicalisation, to counter violent extremism also with the inclusion of CSOs and religious communities, to prevent and disrupt the flow of foreign terrorist fighters, to counter the financing of terrorism, and to develop a specific rule of law-based approach for intelligence and law enforcement agencies and a coherent judicial policy on offenders; recommends, furthermore, intensifying effective regional cooperation and cooperation with the relevant services of the Member States on this issue, including on the exchange of information; takes the view that all measures taken in this direction should ensure respect for human rights and fundamental freedoms in accordance with international standards and instruments;

30. Regrets that, due to a lack of spirit of cooperation and compromise within the Albanian delegation, no meaningful debate can be held currently in the SAPC and that no recommendation could be adopted at its ninth meeting; appeals for steps to be taken to strengthen the SAPC in order for it to make a positive contribution to Albania's EU accession process;

31. Requests that the Commission include detailed information about IPA support for Albania and the implementation of measures in its future reports, in particular the IPA support allocated to the implementation of the key priorities and relevant projects, bearing in mind the Commission's declaration on the Strategic Dialogue with the European Parliament;

32. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Albania.

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P8\_TA(2016)0135

## 2015 Report on Bosnia and Herzegovina

**European Parliament resolution of 14 April 2016 on the 2015 Report on Bosnia and Herzegovina (2015/2897(RSP))**

(2018/C 058/21)

*The European Parliament,*

- having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina (BiH), of the other part <sup>(1)</sup>,
- having regard to BiH's application for membership of the European Union on 15 February 2016,
- having regard to the Council decision of 21 April 2015 concluding the SAA with BiH,
- having regard to the European Council conclusions of 19-20 June 2003 on the Western Balkans and to the annex thereto entitled 'The Thessaloniki Agenda for the Western Balkans: moving towards European integration',
- having regard to the Council conclusions of 16 March, 12 October and 15 December 2015 concerning BiH,
- having regard to the first meeting of the EU-BiH Stabilisation and Association Parliamentary Committee (SAPC) held in Sarajevo on 5-6 November 2015 and the first meetings of the Stabilisation and Association Council (SAC) and the Stabilisation and Association Committee between BiH and the EU held on 11 and 17 December 2015 respectively,
- having regard to the Final Declaration by the Chair of the Vienna Western Balkans Summit of 27 August 2015 and to the Recommendations of the Civil Society Organisations for the Vienna Summit 2015,
- having regard to the Commission Communication of 10 November 2015 entitled 'EU Enlargement Strategy' (COM(2015)0611), accompanied by the Commission Staff Working Document entitled 'Bosnia and Herzegovina 2015 Report' (SWD(2015)0214),
- having regard to the Written Commitment to EU Integration adopted by the BiH Presidency on 29 January 2015 and endorsed by the BiH Parliamentary Assembly on 23 February 2015, as well as to the Reform Agenda for BiH 2015-2018 adopted by all three levels of government in July 2015,
- having regard to its previous resolutions on the country, including its resolutions of 9 July 2015 on the Srebrenica Commemoration <sup>(2)</sup> and of 17 December 2015 on the 20th anniversary of the Dayton Peace Agreement <sup>(3)</sup>,
- having regard to the conference on the 'European Future of Bosnia and Herzegovina — 20 years after Dayton-Paris Peace Agreement' held in the European Parliament on 9 December 2015,
- having regard to the work of Cristian Dan Preda as the standing rapporteur on Bosnia and Herzegovina for the Committee on Foreign Affairs,

<sup>(1)</sup> OJ L 164, 30.6.2015, p. 2.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0276.

<sup>(3)</sup> Texts adopted, P8\_TA(2015)0471.

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- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the EU remains committed to BiH's European perspective, and to its territorial integrity, sovereignty and unity;
- B. whereas EU accession is an inclusive process which requires consensus on the Reform Agenda; whereas BiH citizens must be placed at the centre of institutional, economic and social reforms;
- C. whereas the EU initiated a renewed approach to BiH in order for the country to progress towards the EU and address the outstanding socio-economic and rule-of-law challenges, thereby allowing the country to prepare for future membership; whereas, following this approach, the SAA entered into force on 1 June 2015;
- D. whereas an effective coordination mechanism on EU matters between the various levels of government is indispensable in order to ensure better interaction with the EU, to facilitate the alignment, implementation and enforcement of EU laws, and to make BiH's EU membership application a success; whereas the BiH Council of Ministers (CoM) adopted the 'Decision on a Coordination System in the Process of European Integration in Bosnia and Herzegovina' on 26 January 2016; whereas progress in its coordination on EU matters will open the way for BiH to benefit fully from EU funding;
- E. whereas there are still 84 500 internally displaced persons as well as a huge number of refugees from Bosnia and Herzegovina in neighbouring countries, all around Europe and world-wide;
- F. whereas strong political support is a key factor in making the country's institutional set-up more effective;
1. Welcomes the first more positive Commission Report on BiH and reiterates its unequivocal commitment to BiH's European perspective; calls on the authorities to show determination in pursuing institutional and socio-economic reforms, including their effective implementation, and making steady progress towards the EU; calls for transparency in the process of planning and implementing reforms; welcomes the Joint Action Plan by the State and Entities to implement the 2015-2018 Reform Agenda, and calls for harmonised implementation in order to achieve real, visible change across the country and to improve the lives of all BiH citizens;
2. Welcomes the submission of the application for EU membership by BiH on 15 February 2016; calls on the Council to examine this application at the earliest opportunity and to forward it without delay to the Commission in order to start the preparation of the *avis*;
3. Welcomes the adoption by the BiH CoM, on 26 January 2016, of a decision establishing a coordination mechanism on EU matters and, on 9 February 2016, of the negotiation position on the adaptation of the SAA following the accession of Croatia to the EU; recalls that, alongside meaningful progress in the implementation of the Reform Agenda, these elements are necessary for the EU to consider the membership application as credible; calls for the entities' position on the adopted coordination mechanism to be harmonised without delay and encourages cooperation between all stakeholders in further improving it; calls for its swift implementation and urges constructive cooperation on EU matters; stresses that this mechanism is indispensable for efficient decision-making in the EU accession process; welcomes the initial concrete consultations — on a parliamentary level — with a view to the full implementation of the coordination mechanism, and strongly encourages the further intensification of such meetings among institutional stakeholders; insists again on the adaptation of trade concessions granted under the SAA; considers the full implementation of the SAA, including its adaptation, an important element of BiH's commitment to the EU and one of the preconditions for endorsement of its candidacy for membership; recommends that BiH also engage with the EU Member States on its progress towards the EU;

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4. Reiterates the need to continue also with constitutional, legal and political reforms that would transform BiH into a fully effective, inclusive and functional state, guaranteeing the equality and democratic representation of all its constituent peoples and all citizens, and guaranteeing that all citizens can stand as candidates and are eligible to be elected and to serve at all political levels, on equal grounds and regardless of their ethnic or religious backgrounds, in accordance with the principles expressed in its previous resolution, including the Copenhagen criteria, the EU *acquis*, recommendations made by the Venice Commission and the European Convention on Human Rights (ECHR) and the relevant decisions of the European Court of Human Rights (ECtHR); calls on the authorities to actively promote the principles of legitimate representation, federalism, decentralisation and subsidiarity, as well as European values and the importance of the European perspective; calls on the EU institutions to become actively involved in the efforts to find a sustainable solution to BiH's constitutional arrangements;

5. Urges political and religious leaders to refrain from divisive nationalistic and secessionist rhetoric that polarises society and to continue with political dialogue and activities aimed at mutual respect, consensus and cooperation between legitimate political representatives and at protecting the diversity of its society; calls on all citizens to embrace reconciliation and cooperation, which are key prerequisites for attaining the European perspective;

6. Emphasises the important role of grassroots civil society in the process of peace-building and reconciliation, and particularly youth participation in intercultural dialogue and exchange, as well as in the political sphere; notes the significant role of cultural activists, artists, writers and academics in promoting dialogue and understanding between the different groups in society; urges the promotion of education for democracy, fundamental rights and citizenship in Bosnia and Herzegovina;

7. Takes note of the announcement by the President of the Republika Srpska (RS) to postpone the planned referendum in the RS on the BiH State-level judiciary; regrets, however, that this decision has not been passed by the RS National Assembly; calls for this idea of a referendum to be dropped altogether, as it challenges the cohesion, sovereignty and integrity of the country and risks undermining the efforts being made to improve the socio-economic situation of all BiH citizens and to make further progress towards EU integration; stresses that any shortcomings in the BiH judiciary should be addressed in a spirit of cooperation rather than through unilateral initiatives, within the broadened Structured Dialogue on Justice; recalls that under the Dayton Agreement the RS has no right to secession;

8. Is deeply concerned about statements made by the Interior Minister of the Republika Srpska about the future training of RS special police units in the Russian Federation, the deepening of cooperation, particularly regarding the exchange of information, and the intention to buy Russian military equipment; calls on the authorities in the RS not to pursue an independent foreign and security policy which might undermine the State-level policy;

9. Welcomes the entry into force of the SAA and the fact that the SAPC was the first common body constituted on its basis; deeply regrets, however, that it failed to adopt its Rules of Procedure (RoP) due to the attempts to introduce ethnic blocking into the SAPC's voting rules; recalls that the SAA requires the adoption of the RoP and failure to do so is in direct breach of implementation of the SAA; urges the Bosnian delegation to work constructively in this respect towards the adoption of the RoP at the next meeting of the SAPC without delay; welcomes the first meetings of the SAC between BiH and the EU held on 11 December 2015;

10. Deplores the fact that corruption, including corruption at the highest level, continues to be widespread and that political commitments have not translated into concrete results; remains concerned about the weak legal and institutional framework to combat corruption, which allows engagement in corrupt practices with impunity, and about the low number of final convictions in corruption cases; calls for improvements in the track record of effective investigation and prosecution in high-profile corruption cases involving politicians, high-level officials and regulatory institutions, and in the framework

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of public procurement and privatisation; commends the adoption of the 2015-2019 anti-corruption strategy and action plan and urges the allocation of a sufficient budget for its implementation; calls for the significant enhancement of country-wide inter-agency cooperation; urges the establishment of dedicated corruption prevention and monitoring structures and the adoption of corruption prevention policy documents at all levels of government; urges full implementation of the GRECO recommendations without delay;

11. Emphasises that a functional and stable judiciary is of paramount importance for ensuring the rule of law in the country and for BiH's further progress towards the EU; is concerned about increased pressure on the judiciary by political actors; states the urgent need to strengthen the independence of the judiciary in BiH; is concerned in particular about cases of political interference in court proceedings, the politicisation of appointment procedures in the judiciary, the continued fragmentation into four different legal systems and the lack of an effective and objective system for assessing the professional qualities of judges; welcomes the updated 2014-2018 Justice Sector Reform Strategy and calls for an action plan for its implementation with a strong focus on country-wide harmonisation efforts; deems it essential to guarantee a more professional, independent and accountable judicial system, including the systematic application of objective criteria for appointments; welcomes the protocol signed by Entity- and State-level justice ministers aiming at reforms of the State-level judiciary and the High Judicial and Prosecutorial Council; welcomes the appointment of Ombudspersons, but is concerned about the ongoing financial and human resource difficulties faced by the Ombudsperson's Office; calls for rapid adoption of the law on the reform of the Ombudsperson;

12. Remains concerned that access to free legal aid is very limited; urges the competent authorities to adopt a law on free legal aid at State level as a prerequisite for guaranteeing equal, effective and non-discriminatory access to justice; believes that the implementation of such a law is crucial for strengthening the confidence of citizens in the rule of law;

13. Strongly condemns the still effective law on public order in the RS, which undermines the fundamental democratic rights of the freedom of assembly, freedom of association and freedom of media; urges full implementation of the Freedom of Access of Information Act, as this is still uneven and frequently limited when the right to privacy and the protection of the commercial interests of companies dealing with governments is invoked, thus depriving citizens of an efficient means of appeal when information is denied; commends the adoption of amendments to the BiH Criminal Code that bring its provisions on torture, enforced disappearance and rape into line with international standards; urges the authorities to incorporate criminal offences listed in the Additional Protocol to the International Convention on Cybercrime into the criminal code;

14. Considers it important to improve cooperation between the State-level, Entity-level and Brčko District parliaments and to hold joint meetings between them; takes note of the commitments made in the framework of the parliamentary twinning and calls for urgent implementation of the resulting recommendations, as well as the operationalisation of the agreed framework for cooperation; welcomes, in this context, the signing of the 'Concept of mechanism of cooperation of parliaments in BiH in activities related to the EU integration process'; calls for improvements in the overall coordination with cantonal assemblies;

15. Notes the role played by the Joint Parliamentary Committee for Security and Defence in ensuring democratic control over the armed forces of BiH; is concerned by the widespread presence of weapons held illegally by the population and the large stockpiles of ammunition and weapons still held under the responsibility of the armed forces; commends the progress made by the armed forces in disposing of the most unstable ammunition and in building sustainable capacity to manage the rest of the stockpiles; urges the adoption of a comprehensive approach to address the remaining challenges of clearing the country of mines by 2019; calls on the Commission and the VP/HR to enhance aid for these activities;

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16. Urges the members of the working group for the preparation of amendments to the election law of Bosnia and Herzegovina to ensure that amendments to the law create the basis for genuine democratic elections as an expression of sovereignty; stresses that democratic elections cannot be achieved unless a wide range of other human rights and fundamental freedoms can be exercised on an ongoing basis without discrimination based on ethnicity, religion, gender, political and other opinion, property, birth or other status, and without arbitrary and unreasonable restrictions;

17. Is of the view that the fragmentation of public administration, its politicisation and weak policy coordination hamper institutional and legislative reforms and have an impact on the provision of public services to citizens; calls on the competent authorities at all levels to enhance medium-term policy planning and to develop a comprehensive and country-wide strategic framework for public administration reform and a public financial management programme, in line with the European Principles for Public Administration that have been identified by OECD/SIGMA for candidates for EU membership;

18. Recognises that agriculture is a key economic sector for Bosnia and Herzegovina, as around 20 % of BiH's population is reliant directly or indirectly on the sector; welcomes, therefore, progress made in the field of food safety and veterinary policy and the Commission's decision to approve the export of BiH milk and dairy products to the EU; encourages greater efforts to align the official veterinary and phytosanitary control system with European standards and to establish the necessary institutional structures that would allow the use of the Instrument for Pre-accession Assistance for Rural Development; calls on the government to support the establishment of a State-level ministry of agriculture and an accompanying development strategy;

19. Expresses its concern about insufficient mechanisms for cooperation between government and civil society organisations (CSOs), including their limited capacity to participate in policy dialogue on the Reform Agenda; considers it essential to enhance the role of civil society and to engage citizens in the EU accession process; reiterates its calls for the creation and implementation of transparent and inclusive public consultation mechanisms; calls on the competent authorities at all levels to improve the relevant legal and financial framework, to adopt a national strategy on CSOs and to ensure transparent public funding for CSOs in order to foster a more participatory and inclusive democracy across the country; calls on the CSOs and activists to significantly strengthen their capacities and structures and to engage with the authorities in BiH, the EU and the international community; calls on the latter bodies to assist them in these efforts;

20. Notes the uncoordinated implementation of the 2014-2016 strategy on combating organised crime; urges the adoption and implementation of a new strategy and action plan on money laundering in line with the MONEYVAL recommendations; stresses the need for a victim-centred approach and a multidisciplinary and comprehensive strategy to combat trafficking in drugs and human beings; calls on the EU and BiH authorities to work together to effectively combat human trafficking and to provide protection for the victims; welcomes the adoption of the 2016-2019 Action Plan for Fighting Human Trafficking in BiH, including its emphasis on problems related to migrant workers and the forced begging of children, and calls for its effective implementation; remains concerned about the large volume of illegal arms in Bosnia which are easily transferred to the EU; calls on the competent authorities to enhance their efforts to prosecute arms brokers and smugglers and to do more to combat the uncontrolled proliferation and illicit trafficking of weapons, notably small and light weapons, also through closer regional cooperation and cooperation between BiH and the EU;

21. Invites the authorities to develop an action plan for the implementation of the 2015-2020 strategy for the prevention and fight against terrorism; calls on the authorities to strengthen their efforts to ensure more effective country-wide cooperation between police, intelligence and security agencies in the fight against terrorism and violent extremism; calls for the strengthening of BiH's counter-terrorism capacity; urges the competent authorities to undertake greater efforts in the fight against terrorist financing, including the creation of a legal framework to allow for the freezing of assets of terrorist groups; considers it essential that security operations in BiH are coordinated and that data are shared within the country; stresses that closer cooperation between regional security services is also paramount, and encourages further cooperation in that respect;



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22. Stresses that BiH has been seriously affected by the phenomenon of foreign fighters and radicalisation; is concerned about radicalisation among young people, a high number of whom — compared to other countries in the region — have joined Daesh; calls for the continuation and strengthening of measures against radicalisation and terrorism; welcomes efforts to strengthen inter-religious dialogue, including the joint statement by political and religious leaders condemning terrorism and violent extremism; welcomes the first judgments delivered on foreign fighters on the basis of the criminal offences of financing terrorist activities, public instigation of terrorist activities, and organising and joining Daesh; calls for the urgent development of effective de-radicalisation programmes and for urgent efforts to provide a better economic perspective for young people in BiH in line with the Positive Agenda for Youth in the Western Balkans, thus deterring them from associating themselves with radical and extreme ideologies; encourages efforts to engage the media, the academic community and civil society in helping to raise awareness of the risk factors that allow radicalisation to evolve into violent extremism; encourages the development of national and regional Radicalisation Awareness Networks based on best practices and tools available from the EU-wide Radicalisation Awareness Network; encourages closer cooperation with security services in the EU and neighbouring countries, including on the exchange of information; encourages police operations throughout BiH that result in the arrest of persons suspected of organising, supporting and financing terrorist activities;

23. Notes that the legal and institutional framework for the observance of human rights requires substantial improvements; calls for the development of a country-wide anti-discrimination strategy in cooperation with CSOs; urges once again the inclusion of a clear definition of gender identity, sexual orientation, age and disability as grounds for discrimination in the anti-discrimination law; calls for its effective implementation and for the role of the Human Rights Ombudsman to be strengthened; is concerned about discrimination against persons with disabilities in employment, education, access to health care and the provision of other services; is concerned about hate violence, hate speech and the reported increase in threats towards LGBTI persons; encourages the government to address this *inter alia* by implementing awareness-raising actions on the rights of LGBTI people among the judiciary, law enforcement agencies and the general public; notes significant progress in completion of the civil registration process for Roma, but remains concerned about limited action on improving their health, education and employment prospects; urges the authorities in particular to fight gender-based discrimination; urges the repeal of the provision on the death penalty in the RS entity Constitution;

24. Regrets that no progress has been made with regard to the implementation of the Sejdić-Finci and Zornić cases, and recalls that BiH remains in breach of the ECtHR rulings on these; stresses once again that the failure to implement these continues to result in discrimination against BiH citizens and may therefore hinder BiH's EU accession path;

25. Urges the more forceful and proper investigation and prosecution of cases of hate crime and hate speech, including on ethnic grounds, and of dissemination of extremist ideologies through social media; regrets that the Federation remains the only territory in the Western Balkans where the sanctioning of hate crime is not regulated by criminal law and urges the inclusion of such a provision; calls, similarly, for the inclusion of a hate speech provision in the criminal laws of all the entities;

26. Reiterates that electoral law and the electoral system must give all three constituent peoples and all other citizens the opportunity to freely and autonomously elect their own legitimate political representatives to the institutions and authorities;

27. Stresses the important role of civil society in protecting and promoting minority rights in the country, as well as in fostering social harmony and tolerance and increasing people's understanding of the benefits of diversity; calls for the further involvement of civil society in addressing challenges of ethnic division in order to help the country advance towards the EU; calls also for better coordination between the competent authorities and the CSOs in order to ensure better enforcement of the law on minorities;

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28. Welcomes the adoption of the 2015-2018 strategy for implementing the Council of Europe Convention on preventing and combating violence against women and domestic violence; calls for the urgent adoption and application of the Framework Strategy for the Implementation of the Istanbul Convention; is concerned about the lack of a comprehensive State-level legal framework on sexual assault and of an appropriate compensation mechanism for victims; calls on the competent authorities to ensure the proper financing of, and better legislation on, 'safe houses' and to establish a harmonised system for monitoring and collecting data on cases of violence against women; calls also for every effort to be made to increase the participation of women in politics and employment, to improve their social and economic situation — especially regarding access to the right to maternity leave and benefits — and to promote, protect and strengthen women's rights; urges the governments at all levels to raise awareness of these issues, with the help of civil society, so that women make use of the protection available under the law;

29. Stresses the essential role of education in creating and promoting a tolerant and inclusive society, as well as in fostering cooperation and cohesion across cultural, religious and ethnic lines; notes with regret the slow progress made in addressing the issue of 'two schools under one roof' and other forms of segregation and discrimination in schools, and deplores the fact that a common core curriculum is still not being developed; urges the adoption of concrete measures to start the desegregation of the educational system; stresses the need for significant efforts to improve the efficiency of the fragmented education system, while guaranteeing the right to equal education opportunities in all official languages of BiH and the right of every community to education in its language; urges the authorities to ensure the effective implementation of inclusive education principles with regard to children with disabilities;

30. Welcomes BiH's active participation in the Western Balkans Platform on Education and Training, as well as its continuing participation in Erasmus+ and the Western Balkans Youth Window, which play a very important role in the battle against very high youth unemployment rates; welcomes also the commitment of BiH to take part in the 2018 OECD PISA study; regards this study as a useful instrument for debating the quality of education and necessary reforms; commends the expressed will of all 13 ministries of education and all related agencies to take part in this joint effort; calls on the Commission to consider financing BiH's participation in the study from pre-accession funds;

31. Stresses that independent and professional media institutions are one of the key components of a thriving democratic society; expresses its concern therefore about backsliding in the area of freedom of expression, cases of political pressure on and intimidation of journalists, including the subjection of some media outlets to bogus financial and other inspections by local and national authorities, and the continued polarisation of the media along political and ethnic lines; calls on the competent authorities to conduct a thorough investigation into attacks on journalists and to create a legal framework for the protection of journalists; calls, moreover, for urgent action to secure the political, institutional and financial independence of the Communications Regulatory Authority and to ensure transparency in media ownership by closing all legislative loopholes which systematically hamper full transparency; notes that the implementation of these measures is crucial to ensuring the absence of all undue political influence; calls for action to ensure media pluralism and broadcasting in all official languages; calls also for the editorial independence and financial stability of the public service broadcasters to be enhanced in view of the significance of the existence of a public service broadcaster for the unity of BiH; is concerned that targeted cyber-attacks against information sites are not prosecuted;

32. Welcomes the progress made in reducing the backlog of war crimes cases; notes the ICTY's concerns regarding the insufficient follow-up by the State Prosecutor's Office on repeated requests to complete war crimes cases; calls for a revision of the National War Crimes Strategy, for more effective and better prosecution of acts of wartime sexual violence and for improvements in the protection of victims; calls for action to ensure their right to effective compensation;

33. Notes some action and calls for more progress on the sustainable return of internally displaced persons and refugees, including on employment, education, social protection, the return of property and healthcare at local level; reiterates the importance of encouraging their sustainable return to BiH, in particular to the RS; calls on all levels of government to

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protect them and to speed up the process of their return by introducing and implementing all necessary legislative and administrative measures; calls for the effective implementation of the revised strategy regarding Annex VII of the Dayton Peace Agreement; calls on the Commission to provide adequate financial and project assistance which would facilitate this process; notes the persistently high number of missing persons and calls on the competent authorities to embark on intensive cooperation and to strengthen their efforts to find the 7 019 persons still missing as a result of the war; stresses the need to further develop alternative approaches to justice, *inter alia* by building on the UNDP strategy on transitional justice; calls on the authorities in BiH to invest significant resources in relevant programmes;

34. Notes that while post-war rehabilitation and reconstruction in BiH has been largely successful and has brought the country closer towards the EU, challenges still remain concerning the sustainability of the reconciliation process; stresses therefore the importance of education on reconciliation and mutual understanding in society;

35. Welcomes the rise in registered employment, as well as the first steps taken to strengthen policy coordination and to improve the business climate; remains concerned about state influence on the economy, the quality of public finances, the high degree of dependence on funding from international loan investment, the unclear origin of international investment and the difficult labour market conditions; stresses the need to address the persistently high long-term unemployment rate (27,6 %), including very high youth unemployment (62,7 %), and the large informal economy and to improve the operation of the labour market;

36. Welcomes the adoption of new labour legislation by both entities; regrets the lack of a unified single economic area, which hampers the business environment; urges further improvement of the business environment by strengthening the rule of law, simplifying contract enforcement and fighting corruption; regrets that BiH has not developed a State-level SME strategy;

37. Stresses the need to reform and harmonise the fragmented social protection systems on the basis of citizens' needs in order to provide equal treatment for all; notes that trade union and labour rights, including health and safety laws, are still limited, and stresses the importance of further enhancing and harmonising these laws across the country;

38. Urges the adoption of country-wide sectoral strategies on transport, energy and the environment; stresses that these strategies are needed *inter alia* to benefit fully from EU pre-accession assistance;

39. Welcomes the participation of BiH in the Western Balkan 6 initiative; highlights the importance of two major investment projects — 'Stara Gradiška' and 'Svilaj' — which will facilitate trade, regional integration and sustainable growth; urges the authorities to ensure the full and swift implementation of technical standards and soft measures in transport which were agreed during the 2015 WB Summit in Vienna (e.g. aligning/ simplifying border crossing procedures, information systems, maintenance schemes, unbundling and third-party access to networks) before the upcoming 2016 Summit in Paris;

40. Calls for the results of the population and housing census to be published without further delay, because these are instrumental for economic and social planning; points out also that data from the 2013 census will be needed to fill in the questionnaire that BiH will receive from the Commission;

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41. Urges the BiH statistical agencies to align their statistics with Eurostat standards;
  
42. Is concerned about backsliding in the field of the information society; calls for urgent implementation of the digital switchover; urges the establishment of the supervisory body for accreditation of the e-commerce and e-signature laws at State level, as the latter have yet to be implemented due to the absence of this body; calls on the authorities responsible to accelerate successful implementation of the European emergency number 112, which was established in 2009;
  
43. Notes the limited measures and activities carried out on adaptation to climate change and the initial steps taken to develop the Natura 2000 network on nature protection; calls on the competent authorities to establish a harmonised legal framework for environmental protection and climate action and to strengthen strategic planning and alignment with the *acquis* in these fields; calls on the competent authorities to prevent excessive air pollution in line with EU environmental standards, including pollution caused by the oil refinery in Bosanski Brod; reiterates the need for BiH to fully implement its obligations regarding the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and the Protocol on Strategic Environmental Assessment (Kiev, 2003);
  
44. Calls on the BiH Government to regulate and monitor the development of hydropower plants in environmentally sensitive areas, as well as in protected and potentially protected areas, and to maintain the integrity of existing national parks, such as Sutjeska National Park and Una National Park; recommends that the quality of environmental impact assessments be improved to take into account EU standards as established by the Birds and Habitats Directives and the Water Framework Directive; encourages the BiH Government to increase transparency through public participation and consultation on planned projects with local communities, scientific experts and the civil sector;
  
45. Congratulates BiH on assuming the Presidency of the Energy Community in 2016; is, however, concerned about the imposition of Energy Community sanctions against BiH; reiterates its call on BiH to take measures to connect to the energy infrastructures of neighbouring countries and to honour all its contractual obligations under the Energy Community Treaty;
  
46. Denounces the Law on Public Peace and Order adopted in the RS in February 2015 which criminalises social media postings that disturb the public order or contain indecent, offensive or insulting content, as this paves the way for legal restrictions on online free expression and free media and may create self-censorship among social media users;
  
47. Commends BiH's constructive and pro-active role in promoting regional cooperation; takes the view that concrete cooperation in areas of mutual interest can contribute to the stabilisation of the Western Balkans; welcomes the border agreement with Montenegro; calls for further efforts to resolve outstanding bilateral issues, including on border demarcation matters with Serbia and Croatia, and to address issues of transboundary environmental pollution; welcomes the first joint session of the BiH Council of Ministers with the Serbian Government that took place on 4 November 2015 in Sarajevo;
  
48. Welcomes the increase in the rate of alignment with CFSP decisions from 52 % to 62 %; considers it necessary, in the light of BiH's application to join the EU, to coordinate foreign policy to a great extent with the EU's CFSP;
  
49. Calls on the BiH authorities, in the context of the upcoming local elections, to implement the relevant recommendations made by international and local observers and OSCE/ODIHR in order to ensure the credibility and integrity of the electoral process; urges the authorities to regulate the local elections in Mostar as a matter of urgency;

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50. Instructs its President to forward this resolution to the VP/HR, the Council, the Commission, the Presidency of BiH, the Council of Ministers of BiH, the Parliamentary Assembly of BiH, the governments and parliaments of the Federation of BiH and the RS, and the governments of the 10 cantons.

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P8\_TA(2016)0136

## Meeting the antipoverty target in the light of increasing household costs

**European Parliament resolution of 14 April 2016 on meeting the antipoverty target in the light of increasing household costs (2015/2223(INI))**

(2018/C 058/22)

*The European Parliament,*

- having regard to the Treaty on European Union (TEU), in particular Article 3 thereof, and the Treaty on the Functioning of the European Union (TFEU), in particular Article 9 thereof,
- having regard to the Charter of Fundamental Rights of the European Union, in particular Articles 1 and 34(3) thereof,
- having regard to Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 <sup>(1)</sup>,
- having regard to Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the Most Deprived <sup>(2)</sup>,
- having regard to Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 <sup>(3)</sup>,
- having regard to Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 <sup>(4)</sup>,
- having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006 <sup>(5)</sup>,
- having regard to Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features <sup>(6)</sup>,
- having regard to Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC <sup>(7)</sup>, and to its resolution of 15 December 2010 on Revision of the Energy Efficiency Action Plan <sup>(8)</sup>,

<sup>(1)</sup> OJ L 169, 1.7.2015, p. 1.

<sup>(2)</sup> OJ L 72, 12.3.2014, p. 1.

<sup>(3)</sup> OJ L 347, 20.12.2013, p. 470.

<sup>(4)</sup> OJ L 347, 20.12.2013, p. 289.

<sup>(5)</sup> OJ L 347, 20.12.2013, p. 320.

<sup>(6)</sup> OJ L 257, 28.8.2014, p. 214.

<sup>(7)</sup> OJ L 315, 14.11.2012, p. 1.

<sup>(8)</sup> OJ C 169 E, 15.6.2012, p. 66.

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- having regard to Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings <sup>(1)</sup>,
- having regard to the Commission Communication of 27 October 2015 entitled ‘Commission Work Programme 2016 — No time for business as usual’ (COM(2015)0610),
- having regard to the Commission Communication of 5 March 2014 entitled ‘Taking stock of the Europe 2020 strategy for smart, sustainable and inclusive growth’ (COM(2014)0130),
- having regard to the Commission Communication entitled ‘The European Platform against Poverty and Social Exclusion: A European framework for social and territorial cohesion’ (COM(2010)0758) and to the opinions of the European Economic and Social Committee and the Committee of the Regions, as well as its resolution of 15 November 2011 <sup>(2)</sup> on the same subject,
- having regard to the Commission Communication of 3 March 2010 entitled ‘Europe 2020 — A strategy for smart, sustainable and inclusive growth’ (COM(2010)2020), as well as its resolution of 16 June 2010 on EU 2020 <sup>(3)</sup>,
- having regard to the United Nations General Assembly resolution 64/292 of 28 July 2010 entitled ‘The human right to water and sanitation’ <sup>(4)</sup>,
- having regard to the Commission pilot project for the development of a common methodology on reference budgets in Europe,
- having regard to the report of the UNICEF Innocenti Research Centre (2012) ‘Measuring Child Poverty: New league tables of child poverty in the world’s rich countries’ <sup>(5)</sup>,
- having regard to the report of the UNICEF Innocenti Research Centre (2014) ‘Children of the Recession: The impact of the economic crisis on child well-being in rich countries’ <sup>(6)</sup>,
- having regard to the Commission’s EU Employment and Social Situation — Quarterly Review September 2015 <sup>(7)</sup>,
- having regard to the Commission Social Investment Package of 20 February 2013,
- having regard to the opinion of the European Economic and Social Committee of 15 June 2011 on the ‘European Platform against Poverty and Social Exclusion: a European framework for Social and Territorial Cohesion’ <sup>(8)</sup>,
- having regard to the OECD report ‘In It Together: Why Less Inequality Benefits All’ of 21 May 2015,
- having regard to the opinion of the European Economic and Social Committee of 18 September 2013 on ‘For coordinated European measures to prevent and combat energy poverty’ <sup>(9)</sup>,
- having regard to the opinion of the European Economic and Social Committee of 10 December 2013 on ‘European minimum income and poverty indicators’ <sup>(10)</sup>,

<sup>(1)</sup> OJ L 153, 18.6.2010, p. 13.

<sup>(2)</sup> OJ C 153 E, 31.5.2013, p. 57.

<sup>(3)</sup> OJ C 236 E, 12.8.2011, p. 57.

<sup>(4)</sup> [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/64/292&Lang=F](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/64/292&Lang=F)

<sup>(5)</sup> [http://www.unicef-irc.org/publications/pdf/rc10\\_fre.pdf](http://www.unicef-irc.org/publications/pdf/rc10_fre.pdf)

<sup>(6)</sup> [https://www.unicef.fr/sites/default/files/userfiles/2014\\_Bilan12\\_Innocenti.pdf](https://www.unicef.fr/sites/default/files/userfiles/2014_Bilan12_Innocenti.pdf)

<sup>(7)</sup> <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2345&furtherNews=yes>

<sup>(8)</sup> OJ C 248, 25.8.2011, p. 130.

<sup>(9)</sup> OJ C 341, 21.11.2013, p. 21.

<sup>(10)</sup> OJ C 170, 5.6.2014, p. 23.

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- having regard to the opinion of the Committee of the Regions of 31 March 2011 on the European Platform against Poverty and Social Exclusion <sup>(1)</sup>,
- having regard to the Social Protection Committee (SPC) and Employment Committee (EMCO) joint opinion of 3 October 2014 entitled ‘Mid-term review of the Europe 2020 strategy’ <sup>(2)</sup>,
- having regard to the SPC annual report of 10 March 2015 entitled ‘Social situation in the European Union (2014)’ <sup>(3)</sup>,
- having regard to the studies entitled ‘The State of Lending: The Cumulative Costs of Predatory Practices’ <sup>(4)</sup>, June 2015 and ‘Le panier de la ménagère pauvre’ <sup>(5)</sup>, August 2008,
- having regard to the opinion of the Social Protection Committee of 15 February 2011 entitled ‘The European Platform against Poverty and Social Exclusion: Flagship Initiative of the Europe 2020 Strategy’ <sup>(6)</sup>,
- having regard to its resolution of 8 September 2015 on the follow-up to the European Citizens’ Initiative Right2Water <sup>(7)</sup>,
- having regard to its resolution of 8 July 2015 on the Green Employment Initiative: Tapping into the job creation potential of the green economy <sup>(8)</sup>,
- having regard to Council Decision (EU) 2015/1848 of 5 October 2015 on guidelines for the employment policies of the Member States for 2015 <sup>(9)</sup>, and to its position of 8 July 2015 on the proposal for a Council decision on guidelines for the employment policies of the Member States <sup>(10)</sup>,
- having regard to its resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child <sup>(11)</sup>,
- having regard to its resolution of 11 June 2013 on social housing in the European Union <sup>(12)</sup>,
- having regard to its resolution of 4 July 2012 with recommendations to the Commission on Access to Basic Banking Services <sup>(13)</sup>,
- having regard to its resolution of 20 October 2010 on the role of minimum income in combating poverty and promoting an inclusive society in Europe <sup>(14)</sup>,

<sup>(1)</sup> OJ C 166, 7.6.2011, p. 18.

<sup>(2)</sup> Joint opinion of the Employment and Social Protection Committees to the Council, Council of the EU, 13809/14 SOC 662 EMPL 120 EDUC 297 ECOFIN 876, 3 October 2014.

<sup>(3)</sup> <http://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=7744&visible=0>

<sup>(4)</sup> Center for responsible lending, Durham, <http://www.responsiblelending.org/state-of-lending/cumulative/>, [http://www.uvcw.be/no\\_index/cpas/panier-etude-qualitative.pdf](http://www.uvcw.be/no_index/cpas/panier-etude-qualitative.pdf)

<sup>(5)</sup> Ricardo Cherenti, Belgian Federation of public local social action center, [http://www.uvcw.be/no\\_index/cpas/panier-etude-quantitative.pdf](http://www.uvcw.be/no_index/cpas/panier-etude-quantitative.pdf)

<sup>(6)</sup> Opinion of the Social Protection Committee addressed to the Council, Council of the European Union, 649/11, SOC 124, 15 February 2011.

<sup>(7)</sup> Texts adopted, P8\_TA(2015)0294.

<sup>(8)</sup> Texts adopted, P8\_TA(2015)0264.

<sup>(9)</sup> OJ L 268, 15.10.2015, p. 28.

<sup>(10)</sup> Texts adopted, P8\_TA(2015)0261.

<sup>(11)</sup> Texts adopted, P8\_TA(2014)0070.

<sup>(12)</sup> OJ C 65, 19.2.2016, p. 40.

<sup>(13)</sup> OJ C 349 E, 29.11.2013, p. 74.

<sup>(14)</sup> OJ C 70 E, 8.3.2012, p. 8.



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- having regard to Rule 52 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 Women's Rights and Gender Equality (A8-0040/2016),
- A. whereas between 2008 and 2013, the number of people at risk of poverty or social exclusion in the EU increased from 117 million to 122,6 million; whereas in 2013 16,7 % of the population of the EU was at risk of poverty after social transfers, 9,6 % were in a situation of serious material deprivation and 10,7 % of households were considered to have very low work intensity; whereas this development runs counter to the strategic objective of the EU that is defined in its Europe 2020 Strategy and which aims to reduce the number of people in or at risk of poverty and social exclusion by at least 20 million by 2020;
- B. whereas according to the Eurostat methodology the at-risk-of-poverty threshold is set at 60 % of national median equivalised disposable income;
- C. whereas energy savings and efficiency improvement, particularly with regard to the housing stock, would enable many households to escape energy poverty; whereas 10 % of EU citizens had arrears on utility bills in 2015 (37 % in the Member State most affected); 12 % of EU citizens were unable to keep their home adequately warm in 2014 (60 % in the Member State most affected); 16 % of the EU population was living in dwellings with leaking roofs and damp walls in 2014 (33 % in the Member State most affected) according to SILC statistics;
- D. whereas the number of long-term unemployed exceeds 12 million, of whom 62 % have been out of work for more than two consecutive years; whereas the long-term unemployed are more likely to be affected by poverty and social exclusion;
- E. having regard to the importance of the Fund for European Aid to the Most Deprived (FEAD) and of its continued existence at a time when the social crisis is affecting more and more Europeans;
- F. having regard to Article 34(3) of the EU Charter of Fundamental Rights, which provides that in order to combat social exclusion and poverty, the Union recognises and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources;
- G. whereas the prices of essential goods and services, at certain times and in certain countries, have increased relatively rapidly, and, as a result, so too has family expenditure;
- H. whereas the 'chronic poor' who are often long-term unemployed, but sometimes employed on low salaries and single people living alone with children who are not in employment or who are working less hours on average than the primary earner are consistently identified as among the most vulnerable groups;
- I. whereas there are as yet no established indicators of absolute poverty;
- J. whereas poor or inadequate housing greatly reduces the chance of leading a normal life; whereas the quality of housing (including appropriate insulation, etc.) provided for people in vulnerable situations has decreased during the crisis because of an inability to fund maintenance; whereas living for extended periods of time in low-quality housing can affect physical health;
- K. whereas the increase in family expenditure associated with the cost of accommodation, food, utilities (electricity, gas, water), transport, medical costs or costs associated with education, makes it difficult to achieve the objective of reducing poverty laid down in the Europe 2020 Strategy;
- L. whereas the cost of basic and essential goods and services in many EU countries has increased rapidly during the last years, leading to an increase in general household expenditures;

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- M. whereas the combination of the financial and economic crisis and falling household revenues has increased unemployment and social exclusion within the EU, especially among the most vulnerable groups of people, thereby increasing the burden on welfare services;
- N. whereas unemployment among young people, which is already higher than for other age groups, has exploded in the European Union since the crisis and is now running at over 20 %, putting young people at risk of falling into poverty from a very early age; having regard to the Concluding Observations of the United Nations Committee on the Rights of the Child regarding the most recent periodic reports of certain European countries in relation to the increase in poverty and/or the level of risk of poverty for children as a consequence of the economic crisis; whereas this increase affects the rights to health, education and social protection;
- O. whereas poverty, which has been at a high level in the Member States over very many years, has an ever more significant effect on the economy, damages economic growth, increases public budget deficits and reduces European competitiveness;
- P. whereas not having adequate housing and heating have a negative impact on a person's health, education and social and employment inclusion, in particular for the most vulnerable; whereas people are suffering from not being able to heat their houses both in the northern and southern Member States; whereas EU-SILC figures show that housing cost overburden (by tenure status) is higher for tenants housed in the private rented sector in some Member States, which may be explained by low housing quality and high prices; whereas many families have difficulty in meeting the cost of essential goods and services, also as a consequence of rising energy prices;
- Q. whereas energy poverty is linked to general poverty and is the result of a number of underlying conditions including issues concerning health and disability, a lack of access to tailored offers or online services, low incomes, the type of heating system in use in the household and the quality and energy performance of the housing stock;
- R. whereas the unemployed, one-parent families, low-income families, widows or widowers, the permanently ill, the elderly, young people, people with disabilities and minorities are often among the most vulnerable at risk of poverty and suffer particularly owing to the high cost of living;
- S. whereas the wide gap between Member States in the provision of welfare and a minimum income means that in some Member States welfare reduces the risk of poverty by 60 % and in others by only 15 %; whereas the average impact of the provision of welfare on reducing the risk of poverty in the EU is 35 %;
- T. whereas Eurofound's forthcoming report entitled 'Housing in Europe' will include a model estimating that owing to existing levels of inadequate housing (dwellings) (as per 2011 data), the total cost of medical expenditure is over EUR 170 billion per annum to the economies of EU 28; whereas if all the repair work was undertaken, there would be medical cost savings of some EUR 8 billion in the first year, which would continue to accrue benefits in the future;
- U. whereas the UN has affirmed that the human right to water and sanitation entitles everyone to good quality, safe, physically accessible, affordable, sufficient and acceptable water for personal and domestic uses; whereas a further UN recommendation has stated that 3 % of household income should be seen as a maximum for water payments where payments apply; whereas the privatisation of water services has a negative impact on households living in, or at risk of, poverty;

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- V. whereas energy poverty is becoming an increasingly widespread problem in Europe, and the situation is likely to get worse in the next few years owing to the forecast increases in energy prices, the corresponding increase in income inequality and in poverty in general, the lack of adequate heating systems and the general poor quality of housing insulation, in particular in Mediterranean countries;
- W. whereas there are 12 million more women than men living in poverty in the EU; whereas factors contributing to this inequality include the gender pay and pension gaps, the large proportion of women in precarious work, and the fact that women are often forced to be economically inactive due to the prohibitive cost of childcare;
- X. whereas the gender gaps in remuneration, working hours and duration of working lives that women faced during their working lives have a direct effect on their lives as pensioners; whereas, women above the age of 65, have a substantially higher risk of poverty or social exclusion than their male counterparts, as the average pension income of a woman is currently lower, and often substantially so, than that of a man;
- Y. whereas the Energy Union must provide an effective response to energy poverty, which affects more than 100 million Europeans, through strengthening the position of the most vulnerable consumers, improving energy efficiency for the most vulnerable and developing corrective measures to provide access to affordable energy for people in need;
- Z. whereas Directive 2012/27/EU calls on the Member States to develop programmes to raise awareness, and inform and advise individuals and households on energy efficiency;
- AA. whereas, given that the situation of poverty of a family as indivisible, the effect which the energy aspect has on poverty must be highlighted;
- AB. whereas the renewal of the national building stock with the aim of improved efficiency of energy use will have a direct impact on the cost of energy, particularly for less well-off families, and will encourage the creation of employment;
- AC. whereas 22 348 834 households (approximately 11 % of the EU population) spend more than 40 % of disposable income on housing; whereas the European Semester has identified housing cost overburden as a 'social trend to watch'; whereas 21 942 491 households (approximately 10,8 % of the EU population) experience difficulty maintaining adequate household temperature; whereas the EU and the Member States should, as a matter of urgency, identify, implement and maintain policy measures that enable households to meet housing costs, including housing allowances;
- AD. whereas energy market prices are converging in Europe while purchasing power is not converging at the same rate;
- AE. whereas access to housing is a fundamental right that can be seen as a precondition for the exercise of, and access to, other fundamental rights and for access to a life in conditions of human dignity; whereas guaranteeing access to assistance for decent and adequate housing is an international obligation incumbent on the Member States, to which the Union must have regard, given that the right of access to housing and to housing assistance is recognised in Article 34 of the Charter of Fundamental Rights of the European Union, Articles 30 and 31 of the revised European Social Charter adopted by the Council of Europe and Article 25 of the Universal Declaration of Human rights, as well as in many Member States' constitutions;
- AF. whereas housing represents the most significant expenditure item for European households; whereas the rise in prices associated with housing (land, property, rents, energy consumption) constitutes a source of instability and anxiety and must be regarded as an issue of major concern;

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- AG. whereas housing deprivation and energy poverty are higher in countries with a lower share of social rental housing (i.e. Eastern and Mediterranean countries);
- AH. whereas the social rental stock as a percentage of total housing stock indicates that western and northern countries have a higher share of public social housing compared to the EU average, while Mediterranean and Eastern European countries maintain minimal (around 5 %) social housing stock or lacking social housing sector completely
- AI. whereas Eurofound research argues that for many people with low incomes, utility arrears are a principal type of debt, something which is sometimes overlooked;
- AJ. whereas social housing plays an essential role in achieving the Europe 2020 objective of reducing poverty, because it helps to ensure high levels of employment, social inclusion and cohesion, promotes occupational mobility and helps the fight against poverty;
- AK. whereas the Eurofound report entitled 'Access to benefits: reducing non-take-up' clearly highlights the problem that social benefits and minimum income schemes do not always reach those who are entitled to them; whereas it is not enough to establish such systems, and whereas take-up should be ensured for those who are entitled; whereas the savings realised in the longer term as a result of benefits reaching their target populations promptly, effectively and efficiently, must also be taken into account;
- AL. whereas the crisis has had consequences for the conditions of access to housing for households, and for investment in social housing within the Union, whereas the public expenditure dedicated to investments in social housing has been greatly affected by this, and whereas this places an obligation on the Member States and the Union to act as a matter of urgency so as to guarantee the right of access to decent and affordable housing;
- AM. whereas poverty and social exclusion remain a key social determinant of the state of health and living conditions, including life expectancy, in particular in view of the impact of child poverty on the health and well-being of children, and whereas the gap in terms of health between rich and poor remains significant in terms of affordable access to health services, and of income and wealth, and continues to widen in certain areas,
- AN. whereas the Social Protection Committee of the European Union, in its opinion of 20 May 2010, was concerned about the fact that the current economic and financial crisis could have negative effects on citizens' access to healthcare and on the health budgets of the Member States;
- AO. whereas the current economic and financial crisis may have a severe impact on the healthcare sector in several Member States, on both the supply and the demand sides;
- AP. whereas the restrictions caused by the current economic and financial crisis could be seriously detrimental to the long-term financial and organisational viability of the healthcare systems of Member States and, therefore, impede equality of access to care on their territories;
- AQ. whereas the combination of poverty and other forms of vulnerability, such as childhood or old age, disability or minority background, further increases the risks of health inequalities, and whereas, conversely, ill health can lead to poverty and/or social exclusion;

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- AR. whereas, according to the latest figures from Eurostat, 21 % of households in the EU-28 do not have internet access and whereas 20 % of 16-to 74 year-olds say that they have never used the internet; whereas the Netherlands has the highest proportion of households which have internet access (95 %), while Bulgaria is at the bottom of the list, with 54 % of households having internet access;
- AS. whereas the Digital Single Market is one of the 10 priorities of the new Commission and whereas, in future, 90 % of jobs will require some degree of IT skills; whereas, while 59 % of European citizens have access to the 4G network, in rural areas this percentage does not exceed the 15 % mark;
- AT. whereas a decent job remains the best way of staying clear of the risk of poverty and social exclusion, and whereas expertise in and access to information and communications technology are undeniable assets in the search for a job;
- AU. whereas the United Nations General Assembly resolution 64/292 of 28 July 2010 entitled 'The human right to water and sanitation' recognises the right to safe and clean drinking water as a fundamental right essential to the full exercise of the right to life and of all human rights;
- AV. whereas the intersectionality of the gender aspects of poverty requires a holistic approach to tackle multiple discrimination, and issues such as housing, energy costs, public services, job security, precarious employment, and taxation policies;
- AW. whereas the antipoverty targets cannot be met unless female poverty is tackled, as gender equality and the economic empowerment and the emancipation of women are necessary for upward convergence in poverty reduction;
- AX. whereas data collection and policymaking on poverty, living costs and income on the basis of households as constituent units assumes uniformity and equal distribution of resources between members of the household; whereas, in practice, households vary, and distribution can be unequal and gendered, requiring an approach to policymaking based on individual costs and income;
- AY. whereas 17 % of single-parent households, overwhelmingly headed by women, are unable to keep their houses warm, compared with only 10 % of the general population; whereas wholesale energy prices have decreased, while retail prices have increased, pushing costs upwards; whereas an EU-wide definition of energy poverty is regrettably lacking, while the phenomenon affects women disproportionately;
- AZ. whereas unemployment rates among young women are higher than other age groups, putting young women at risk of falling into poverty from an early age;
- BA. whereas while rising household costs and the overburden of housing costs are one of the drivers of women's homelessness, more research is required on the rates and causes of women losing or leaving their homes; whereas household and individual indebtedness is directly related to household costs, and is a key driver of poverty and social exclusion;

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### **Key Recommendations**

*Based on the recommendations developed in this resolution:*

1. Calls on the Commission and the Member States to invest fully in the fight against poverty and social exclusion and to adopt an integrated strategy to combat its various forms by means of a holistic approach linking economic, education, employment, energy transport and social policies on the basis of best practices;
2. Calls on the Member States to sign up to a winter heating disconnection moratorium so as to ensure that during a defined winter period no household can be cut off from energy or that those who are must be reconnected emphasising that related costs are public responsibility in nature, since social policies are primarily the responsibility of governments; calls on Member States to evaluate the measures needed to comply with the World Health Organisation (WHO) standards for adequate housing temperature;
3. Invites the Commission to carry out an impact assessment of minimum income schemes in the EU and to consider further steps taking into account the economic and social circumstances of each Member State as well as assessing whether the schemes enable households to meet basic personal needs; invites the Commission to evaluate on this basis the manner and the means of providing at Member State level an adequate minimum income in line with national practices and traditions respecting the characteristics of each of them in order to support social convergence across the Union;
4. Calls on the Member States to ensure a more efficient, targeted and more carefully monitored use of the European Structural and Investment Funds (ESI Funds) by national, regional and local authorities in order to tackle energy poverty, increasing living costs, social exclusion, housing deprivation, and the insufficient quality of the housing stock; believes that the Commission should allow greater flexibility in this field;
5. Invites the Commission and the Member States to dedicate a summit to the reduction of poverty, extreme poverty and social exclusion and access to decent living standards;

### **EU policies to meet the antipoverty target**

6. Finds regrettable that the number of people in or at risk of poverty or social exclusion increased even though the Europe 2020 Strategy aims to reduce the number of people in this category by at least 20 million; regrets also that the poverty index has shown improvement only in some Member States; calls on the Commission and the Member States to renew their commitment to the poverty reduction target that is getting further out of reach;
7. Calls on the Member States to provide everyone with accessible adequate support, including minimum income as long as it is needed, and to provide different types of compensation essential for addressing a situation of poverty where costs cannot be lowered in the short term; highlights the importance of defining eligibility criteria in order to benefit from an adequate minimum income scheme;
8. Calls on the Member States to reconsider and adapt any policies that may lead to increase of poverty;
9. Calls on the Commission to study the possibility of extending the Fund for European Aid to the Most Deprived beyond the programming period 2014-2020, together with better co-ordination with other European funds, in particular the European Social Fund (ESF), and active employment policies, to facilitate the entry of the most deprived into the employment market and to evaluate the extent to which the most deprived and vulnerable groups, such as younger women, single-parent families, the disabled and elderly women have benefited from the programme;

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10. Calls on the Member States to facilitate the access of anti-poverty associations to European financing from the FEAD without adding administrative burdens for these associations, which are often understaffed;
11. Calls on the Commission and on the Member States to introduce mechanisms for recognising skills acquired informally rather than formally;
12. Stresses that initiatives such as the Youth Guarantee must be put into effect with a comprehensive understanding of the employment structure of the regions in which they are to be implemented; this means redefining the role of job centres, i.e. to assist users, to take account of all the specific circumstances of these users, to update skills and to focus attention on developing sectors through direct contact with businesses, in order to ascertain the competences that the latter require potential employees to possess;
13. Welcomes the Commission's intention to propose the creation of a European pillar of social rights; recalls that such a pillar should deliver on Article 9 TFEU;
14. Supports the Commission's intention to ensure a social triple A score for the Union by presenting new measures, in order to improve the effectiveness of social and employment policies, which includes a clear strategy for combating gendered aspects of social exclusion;
15. Calls on the Commission and the Member States to develop, adopt and implement an EU framework to reduce poverty and social exclusion in line with the Europe 2020 Strategy, consisting of concrete measures and actions, including energy poverty;
16. Recalls the European Economic and Social Committee's opinion entitled 'For coordinated European measures to prevent and combat energy poverty' and notes its recommendation 'on setting up a European poverty observatory, whose main focus would be on energy poverty and which would bring together all the stakeholders to help define European energy poverty indicators (in conjunction with Eurostat), make an inventory of the situation, identify best practices and draw up recommendations for preventing and addressing the problem more effectively and establishing European solidarity in this sphere'; stresses the importance of developing indicators and collecting data on household consumption and costs in relation to energy poverty in order to provide reliable information and allow for evidence based policy making and effective monitoring;
17. Considers that poverty and social exclusion have an intergenerational component and, accordingly, stresses the need to provide children from households below the poverty threshold with access to education and advocates policies aimed at preventing early school leaving;
18. Calls on the Council and the Member States, in the context of increasing poverty, to intensify their efforts to come to the aid of people at risk of poverty or social exclusion, which includes a strong gender perspective, for example in the form of a Council Recommendation, in order to reach the poverty reduction target laid down in the Europe 2020 Strategy;
19. Reiterates the importance of the empowerment of women and girls through education, including formal and non-formal education, and the role of education in combating gender stereotypes and in combating the stigmatisation of poverty and in increasing income through women's inclusion in sectors where they have been under-represented such as science, technology, engineering, and entrepreneurship, and calls on the Commission to incorporate vocational training targets for women in the country-specific recommendations;
20. Requests that each Member State provide a detailed trajectory of its poverty-reduction plan, and how its strategy addresses gender-specific aspects of poverty and social exclusion;

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***Resources and income of poor households***

21. Stresses that a decent income is a fundamental element for being able to live life in dignity; highlights that although employment can be crucial as a way out of poverty, it is important to have a minimum income sufficient to help people meet basic needs; recalls that 16,7 % of the population in the EU 28 in 2013 were at-risk-of-poverty after social transfers, meaning that their disposable income was below their national at-risk-of-poverty threshold, and that in-work poverty and absolute poverty remain unacceptably high;

22. Invites the Commission, in the context of the European Semester, to make recommendations to the Member States regarding the policies to be put in place and the reforms to be made in order to combat poverty and social exclusion effectively in view of promoting social convergence, taking into account the specific features of each Member State;

23. Recalls the opinion of the European Economic and Social Committee on 'European minimum income and poverty indicators'; notes that the opinion supports a European framework on an adequate minimum income that should establish common standards and indicators, provide methods for the monitoring of its implementation and improve dialogue between stakeholders, Member States and EU institutions; considers that such a framework would need to be evidence and rights-based and should take into account the social and economic context of each Member State and has to respect the principle of subsidiarity;

24. Stresses that minimum income schemes should prevent and lift households out of severe material deprivation and allow for an income above the poverty threshold; recalls that minimum income schemes at national level could be key instruments for delivering on Article 9 TFEU guaranteeing adequate social protection, the reduction of social exclusion, participating in society protection of human health and greater equality of opportunities; shares the opinion of the Economic and Social Committee that minimum income schemes should be accompanied by lifelong learning, stakeholder involvement and active labour market policies aimed at assisting unemployed people to return to the labour market and find decent jobs;

25. Calls on the Commission and the Member States to provide information, advise and support to people at risk of poverty and social exclusion in making educated choices regarding their energy consumption, and support non-governmental actors, local authorities providing targeted energy advice and training energy advisors, as well as to oblige energy providers to include information in their energy bills to households regarding measures to reduce energy consumption and to increase energy efficiency;

26. Encourages the Member States and the Commission where appropriate for a proactive policy-making in relation to adequate housing so as to ensure access to quality housing; calls on the Member States to apply reasonable rent policy where urgent social measures are required and highlights that it should be accompanied by long-term housing and community programmes to increase the housing stock for different socially disadvantaged target groups; stresses that effective measures are still needed throughout the EU to prevent further creation of housing bubbles such as effective consumer protection regulation in the mortgage market; encourages policies in this respect aiming to help households with financial hardships to stay in their primary residence;

27. Calls on the Commission and the Member States to ensure the European citizens' fundamental right to housing assistance as a precondition of human dignity; calls for recognition of the importance of affordable rental accommodation as a means of facilitating access to housing for people on low income, and urges Member States to ensure a sufficient number of affordable homes;

28. Underlines that poverty among older persons is a major problem in many Member States; calls therefore on the Member States to reform pension systems in order to guarantee an adequate level of pension incomes as well as sustainability and security of pension systems;



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29. Calls on the Commission to address the problem of homelessness as an extreme form of poverty, in particular winter deaths amongst homeless people and those living in cold homes; calls on Member States to reassess their progress towards ending such extreme forms of poverty;

30. Calls on the Commission and the Member States to urgently identify, implement and maintain policy measures that enable households to meet housing costs, including the provision of housing allowances, given that 22 348 834 households (approximately 11 % of the EU population) spend more than 40 % of their disposable income on housing and 21 942 491 households (approximately 10,8 % of the EU population) experience difficulty maintaining adequate household temperature;

31. Recalls that low-income households and those in or at risk of poverty are more dependent on the provision of affordable, high-quality public services; calls on the Member States to meet the necessary public spending that provides high quality and affordable public services to low-income households;

### ***Household expenditure of poor households***

32. Welcomes the Commission's work on a reference budget, which is a step in the right direction given that addressing income and expenditure of poor households in a more balanced way with a data-based approach is still a challenge ahead; points out that reference budgets reflecting household cost could be used to design the support to be provided and to test its adequacy; considers such an instrument to be of crucial value to revive the Union's social cohesion, reduce inequalities and achieve the Europe 2020 poverty and social exclusion target; stresses that lowering household expenditure for poor households will impact positively on the concerned households as well as on the economy, in particular the local economy, and on social cohesion;

33. Recalls that poor households spend the largest share of their income on food, housing and utilities, calls therefore on the Commission to better link its policies in view of the fight against poverty, to improve the exchange of good practices and to facilitate a regular dialogue with those who are experiencing poverty, to ensure that they are able to contribute to the evaluation of policies which affect them;

34. Stresses that there is so far no definition of energy poverty at Union level and therefore it is very difficult to properly assess the seriousness, the causes and the consequences of this aspect of poverty in the Union; calls on the Commission to develop with stakeholders a common definition of energy poverty and to define the factors contributing to the vulnerability of households;

35. calls on the Commission to provide impact assessments and information on best practices to fight energy poverty in the Member States in this context; emphasises that energy must be affordable to all Union citizens;

36. Stresses that it is extremely important to prevent even more young people from falling victim to energy poverty in the future;

37. Notes that economic and financial education at a young age has been shown to improve economic decision-making later in life, including in managing costs and incomes; recommends the exchange of best practice and the promotion of educational programmes targeting women and girls in vulnerable groups and marginalised communities facing poverty and social exclusion;

38. Stresses that a significant proportion of people affected by energy poverty are at risk of poverty and social exclusion, and as a consequence they cannot afford the needed initial upfront investment of energy efficiency appliances such as insulation or renewable energy resources; points out that this creates a vicious circle of continuously spending a larger share of household income than needed on utility bills, while efficiency or lack of energy are not tackled, among other issues;

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39. Calls on the Commission, the European Institute for Gender Equality (EIGE), and the Member States to undertake research into female homelessness and its causes and drivers, as the phenomenon is captured inadequately in current data; notes that gender-specific elements that ought to be taken into account include gender-based economic dependency, temporary housing, or avoidance of social services;

40. Supports the initiative to formulate a guideline reference budget, and calls on the Commission to include gender-specific considerations when designing it, including the gender inequalities faced within households;

41. Considers that women's longer life expectancy must also be taken into account as a potential factor in vulnerability and exclusion;

***Targeting funding and policies towards tackling poverty and energy poverty***

42. Calls on the Member States and the EU to provide microcredits or loans free of interest or at low rates via (e.g. the EIB) to low-income households to support them in the upfront investment in renewables or energy efficiency, such as insulation, solar energy and energy efficient appliances;

43. Urges the Member States to ensure that any investment made, either in new homes or in improving existing homes, is based on energy efficiency;

44. Recalls that targeting certain policies and Union funding with a view to reducing energy costs of poor households by investing in renewables and energy efficiency may have multiple positive effects in the medium term: improvement of living conditions and the health of people concerned, reduction of household costs providing budgetary relief for poor families, an increase in local investments, local job creation and contribution to the EU 2020 Strategy objectives;

45. Stresses also the need to monitor the use of funds and to simplify information and access to these resources;

46. Insists on the importance of addressing poverty not just from a social or political point of view, but also from an economic one, with effects in the medium term; insists that the Commission must include in its priorities the need to tackle the inequality dynamic which currently exists and which seriously limits growth and has a very negative impact on cohesion and poverty;

47. Highlights the role of the EU and the Member States in the energy cost reduction of households, the former by ensuring security of supply to prevent major price fluctuations and speculation in the energy market, creating stronger interconnections and higher market integration and sustainable energy investment, and by increasing investment in renewable energy research, and the latter by strengthening their policies in support of household energy efficiency with special attention to off-grid households in poverty and social exclusion; considers that consumer protection should be among the priorities of the Union;

48. Considers deplorable financial speculation concerning natural resources and energy sources, particularly those that are non-relocatable, such as hydroelectric power, for example, and, consequently, calls on the Commission and the Member States to take the necessary steps to reduce the energy costs of poor families, for example by using revenue obtained from appropriate taxation;

49. Welcomes the fact that investment in energy efficiency and renewables is eligible under the scope of the ESI Funds 2014-2020, given their importance in reducing households' energy costs; encourages the Commission and the Member States to exploit the full potential of the European funds with regard to tackling energy poverty; stresses that obstacles to efficient take-up, such as the accessibility of Cohesion Funds for smaller organisations or a lack of information particularly on application requirements, should be tackled;

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50. Recalls that targeting beneficiaries who work with or who are part of poor households requires certain preconditions, which are better met in the ESI Funds but less so in larger funds like the ERDF;

51. Calls on the Member States and the Commission to ease the use of cross-financing mechanisms especially between ESF and ERDF as regards renewable or energy efficiency projects targeting energy-poor households; stresses the multiple benefits of multi-fund programmes to tackle crosscutting issues such as those relating to energy poverty;

52. Stresses that the housing quality of low-income households in rural regions tends to be very poor, be it for tenants or owners; recalls that this adds to the so-called lock-in effect of high utility costs with no room for investment in lowering energy costs; calls on the Commission and the Member States to improve how LEADER and EAFRD target the tackling of energy poverty in rural areas, by directing the operational programmes and the funding towards generating diversified renewable energy in particular within local networks that includes energy efficiency measures for buildings reserved for energy poor households;

53. Recalls that tenants have limited access to energy efficiency funding as they are not the property owners; recalls that tenants may have a lower incentive to invest as they relocate more easily and frequently than homeowners; welcomes the Commission pilot project on 'Fuel/Energy poverty — assessment of the impact of the crisis and review of existing and possible new measures in the Member States' which is meant to tackle this issue; calls on the Commission, on the basis of the outcomes of this pilot project, to develop provisions for allowing EU funding for energy efficiency measures taken by tenants;

54. Reminds the Member States that at least 20 % of the total ESF resources in each Member State should be allocated to the objective of 'promoting social inclusion, combating poverty and any discrimination' and that the European Fund for European Aid for the most deprived can also be used for social inclusion measures;

55. Stresses the immediate relief and the improved living conditions for the most deprived households when those households are provided with small-scale low-cost renewable energy resources such as solar panels for houses not connected to the energy grid;

### ***Linking social aims and energy policy***

56. Welcomes the fact that European energy policy legislation recognises social aims in energy efficiency policies, notably in Directive 2012/27/EU on energy efficiency and Directive 2010/31/EU on the energy performance of buildings; finds regrettable that the relevant provisions of Directive 2012/27/EU to target households affected by energy poverty and social housing (Article 7(7)) are not used to their full potential by the Member States; calls on the Commission in its review and impact assessment of the energy efficiency package to evaluate the implementation and use of Articles 7(7) and 5(7); calls also on the Commission based on this evaluation to consider strengthening Article (7), in particular paragraph 7 thereof, so that Member States are encouraged to include social aims in their energy efficiency obligation schemes;

57. Recalls that local authorities also have a role to play in promoting alternative financing instruments including co-operative models and in the promotion of collective buying agreements to enable consumers to combine their energy demands and therefore lead to cheaper energy prices; calls on the Commission and the Member States to promote the role of local authorities in alleviating energy poverty;

58. Calls on the Member States to meet World Health Organisation (WHO) standards for adequate housing temperature; supporting the most vulnerable groups, especially young children, the elderly and permanently sick and disabled people so as to protect their health and well-being;

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59. Urges the Commission and the Member States to take immediate action to tackle precarious work which prevents individuals from having a regular and secure income, therefore creating a barrier to successful budgeting and paying household bills;

60. Calls on the Commission and the Member States to provide access to affordable, reliable, sustainable and modern energy for all, in line with the UN sustainable development goals;

***Housing and poverty***

61. Calls on the Commission and the Member States to put forward decisive measures on social housing and enhance energy efficiency investment in social rental housing through European funds; recommends that the Member States expand the supply of quality social housing in order to guarantee access for all, and in particular for the most disadvantaged, to adequate housing; encourages the Member States to further use their opportunities to provide social housing with alternative legal constructions; recommends the Member States to support consumer alliances;

62. Highlights the importance of quality and accessible childcare in allowing parents to return to work and increase their incomes; stresses the importance of this for single parents in particular and calls on the Commission and the Member States to put measures in place to improve childcare provisions immediately;

63. Notes that increasing energy efficiency, renovation, and renewable energy is key to tackling energy poverty; expresses concern that housing renovation policies often fail to target those who are most vulnerable; insists that housing renovation policies must target poor, economically excluded and vulnerable households first and foremost, with an emphasis on those facing gender inequalities and multiple discrimination;

64. Points out the important role of social enterprise and alternative business models such as cooperatives and mutuals in facilitating social inclusion and the economic empowerment of women, particularly in marginalised communities, and their increased economic independence;

65. Invites the Commission and the Member States to create stakeholder engagement and deliberative processes that promote and facilitate the direct engagement of persons at risk of poverty and social inclusion, particularly women and girls, in policymaking on social inclusion at all levels;

66. Calls on the Commission and the Member States to put measures in place to end the outrageous gender pay gap in the EU which currently stands at 16 % and rises to 39 % for pensions, and highlights the key importance of this measure for single female parents whose households costs may prove to be truly burdensome;

67. Notes that lone parents, the majority of whom are women, are at a higher than average risk of poverty (34 %); notes that a major contributing factor to this increased risk is the fact that due to childcare costs lone parents either face exclusion from employment or are in precarious, low-paid employment; urges the Member States to act to legislate for a living wage that guarantees that workers' basic needs can be met;

68. Notes that the gender pay and pension gap are key contributors to female poverty; notes the long-term impacts on female poverty of women's exclusion from sectors of the economy traditionally dominated by men, such as technology, science, senior management and decision-making, and the over-representation of women in comparatively low-wage sectors such as care work, public services, part-time work, and low-paid precarious work; expresses concern that the feminisation of poverty is partially driven by long-standing gender-unequal norms, which lead to the prioritisation of male dominated sectors, such as the financial sector, in industrial policy and wage-setting agreements;

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69. Calls on the Member States and the Commission to address female poverty and social exclusion through initiatives to guarantee high-quality jobs with a living wage in female-dominated sectors; highlights the role that trade unions can play in the representation and empowerment of women in the work place and in combating exclusion; calls on the Member States to propose and conduct employer-specific and sector-specific salary surveys in order to demonstrate the unequal salary schemes that affect women and men at the same workplace as a means of accelerating the progress towards equal pay;

70. Stresses that in the fight against poverty and social exclusion, targeted policies must be deployed to address the particular circumstances of vulnerable groups and marginalised communities facing specific forms of gender inequality and multiple discrimination; calls on the Commission and the Member States to continue to develop policies addressing the poverty and social exclusion faced by women with disabilities, elderly women, refugee and migrant women, Roma women, and women from ethnic minorities, women in rural areas and in deprived neighbourhoods, single mothers, as well as female college and university students;

### ***Poverty and access to healthcare***

71. Recalls that equal access to high-quality universal healthcare is internationally recognised — especially within the EU — as a fundamental right;

72. Recalls that access to healthcare is very often limited as a consequence of financial or regional constraints (for example in sparsely populated regions), especially in relation to routine care (such as dental or optical care) and preventative measures relating thereto;

73. Stresses that the combination of poverty and other forms of vulnerability, such as childhood or old age, disability or minority background, further increases the risks of health inequalities, and that ill health can lead to poverty;

74. Stresses the importance of health and care services for bridging gaps relating to capabilities, through promoting people's social integration and combating poverty and social exclusion;

75. Welcomes the Commission communication entitled 'eHealth Action Plan 2012-2020: Innovative healthcare for the 21st century', which puts in place additional initiatives, in particular with a view to improving access to health services, reducing health costs and ensuring greater equality between European citizens;

76. Calls on the Commission and the Member States to press ahead with their efforts to tackle socio-economic inequalities, which would ultimately make it possible to reduce some of the inequalities relating to healthcare; calls, in addition, on the Commission and the Member States, on the basis of the universal values of human dignity, liberty, equality and solidarity, to focus their attention on the needs of vulnerable groups such as people living in poverty;

77. Calls on the Member States to solve problems of inequality in access to healthcare that affect people's everyday lives, for example in the areas of dentistry and ophthalmology;

78. Urges the Commission to do its utmost to encourage Member States to offer reimbursements to patients and to do everything necessary to reduce inequalities in access to medication for the treatment of those conditions or illnesses, such as post-menopausal osteoporosis and Alzheimer's Disease, which are not reimbursable in certain Member States, and to do so as a matter of urgency;

### ***Information and communications technology and poverty***

79. Deplores that the Digital Single Market Strategy for Europe published by the Commission does not take account of the need to ensure universal, equal and unrestricted access to new digital technologies, markets and telecommunications, in particular with regard to people at risk of poverty or social exclusion;

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80. Encourages the Member States and the Commission to put in place strategies aimed at reducing the digital divide and promoting equal access to new information and communications technologies, in particular for people at risk of poverty and social exclusion;

***Water and poverty***

81. Recalls that the United Nations General Assembly recognises the right to clean and high-quality drinking water and to sanitation facilities as a human right; notes, however, that in certain regions, especially rural and remote regions, access to drinking water is not guaranteed and an increasing number of people face difficulties in paying their water bills; calls on the Commission and the Member States to do their utmost to ensure, without delay, that everyone has access to drinking water; encourages Member States to ensure a minimum water supply and to protect the human rights of vulnerable households;

82. Encourages the Member States therefore to do everything possible to ensure that all people have access to drinking water as soon as possible;

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83. Instructs its President to forward this resolution to the Council and the Commission.

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P8\_TA(2016)0137

**Private sector and development****European Parliament resolution of 14 April 2016 on the private sector and development (2014/2205(INI))**

(2018/C 058/23)

*The European Parliament,*

- having regard to Article 208 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Commission communication entitled ‘Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries’ (COM(2014)0263) and to the Council conclusions thereon of 23 June 2014 and 12 December 2014,
- having regard to the Commission communication entitled ‘A Global Partnership for Poverty Eradication and Sustainable Development after 2015’ (COM(2015)0044),
- having regard to the Commission communication entitled ‘A Decent Life for All’ (COM(2013)0092) and to the Council conclusions thereon of 25 June 2013,
- having regard to the Commission communication entitled ‘Increasing the impact of EU Development Policy: an Agenda for Change’ (COM(2011)0637) and to the Council conclusions thereon of 14 May 2012,
- having regard to the Action Plan for Private Investment in the Sustainable Development Goals (SDGs), outlined in UNCTAD’s World Investment Report 2014 <sup>(1)</sup>,
- having regard to its resolution of 26 February 2014 on promoting development through responsible business practices, including the role of extractive industries in developing countries <sup>(2)</sup>,
- having regard to its resolution of 25 November 2014 on the EU and the global development framework after 2015 <sup>(3)</sup>,
- having regard to its resolution of 19 May 2015 on Financing for Development <sup>(4)</sup> and especially its call for the alignment of the private sector with the SDGs,
- having regard to its resolution of 13 March 2014 on the role of property rights, property ownership and wealth creation in eradicating poverty and fostering sustainable development in developing countries <sup>(5)</sup>,
- having regard to the report from the Commission to the Council and the European Parliament on the activities of the EU Platform for Blending in External Cooperation since its establishment until end July 2014 (COM(2014)0733),
- having regard to the Paris Declaration on Aid Effectiveness of 2 March 2005 and the Accra Agenda for Action of 4 September 2008,

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<sup>(1)</sup> [http://unctad.org/en/PublicationsLibrary/wir2014\\_en.pdf](http://unctad.org/en/PublicationsLibrary/wir2014_en.pdf)

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0163.

<sup>(3)</sup> Texts adopted, P8\_TA(2014)0059.

<sup>(4)</sup> Texts adopted, P8\_TA(2015)0196.

<sup>(5)</sup> Texts adopted, P7\_TA(2014)0250.

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- having regard to the European Court of Auditors' Special Report No 16/2014 on 'The effectiveness of blending regional investment facility grants with financial institution loans to support external policies',
- having regard to the Busan partnership for Effective Development Cooperation of 1 December 2011 <sup>(1)</sup>, especially paragraph 32 thereof, which refers to the need to 'recognise the central role of the private sector in advancing innovation, creating wealth, income and jobs, mobilising domestic resources and in turn contributing to poverty reduction',
- having regard to the Joint Statement on public-private cooperation <sup>(2)</sup> and to the Partnership for Prosperity <sup>(3)</sup>, which emerged from the Busan Private Sector Building Block,
- having regard to the Outcome Document 'The future we want' of the Rio+20 United Nations Conference on Sustainable Development of 20-22 June 2012 <sup>(4)</sup>,
- having regard to the United Nations Guiding Principles on Business and Human Rights <sup>(5)</sup>,
- having regard to the United Nations Global Compact and to the OECD's Guidelines for Multinational Enterprises: Complementarities and Distinctive Contributions <sup>(6)</sup>,
- having regard to the Investment Policy Framework for Sustainable Development (IPFSD) of UNCTAD <sup>(7)</sup>,
- having regard to the African Development Bank Group's Private Sector Development Strategy 2013-2017 entitled 'Supporting the transformation of the private sector in Africa' <sup>(8)</sup>,
- having regard to ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy <sup>(9)</sup>,
- having regard to the UNIDO's Lima Declaration: Towards Inclusive and Sustainable Industrial Development (ISID) <sup>(10)</sup>,
- having regard to the ILO Decent Work Agenda,
- having regard to Article 9(2)(b) of the United Nations Convention on the Rights of Persons with Disabilities, which stipulates the obligation to ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities <sup>(11)</sup>,
- having regard to the EU Strategy 2011-2014 for Corporate Social Responsibility (COM(2011)0681),
- having regard to the post-2015 development framework, which sees the private sector as the main implementing partner and to its role in the transition to the green economy,
- having regard to the Voluntary Guidelines on the Responsible Governance of Land Tenure, of 2010 <sup>(12)</sup>,

<sup>(1)</sup> <http://www.oecd.org/development/effectiveness/49650173.pdf>.

<sup>(2)</sup> [http://www.mofa.go.jp/mofaj/annai/honsho/seimu/nakano/pdfs/hlf4\\_5.pdf](http://www.mofa.go.jp/mofaj/annai/honsho/seimu/nakano/pdfs/hlf4_5.pdf)

<sup>(3)</sup> [http://www.ifc.org/wps/wcm/connect/topics\\_ext\\_content/ifc\\_external\\_corporate\\_site/idg\\_home/p4p\\_home](http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/idg_home/p4p_home)

<sup>(4)</sup> <http://www.uncsd2012.org/content/documents/727The%20Future%20We%20Want%2019%20June%201230pm.pdf>

<sup>(5)</sup> [http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)

<sup>(6)</sup> <http://www.oecd.org/corporate/mne/34873731.pdf>

<sup>(7)</sup> [http://unctad.org/en/PublicationsLibrary/diaepcb2012d5\\_en.pdf](http://unctad.org/en/PublicationsLibrary/diaepcb2012d5_en.pdf)

<sup>(8)</sup> [http://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/2013-2017\\_-\\_Private\\_Sector\\_Development\\_Strategy.pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/2013-2017_-_Private_Sector_Development_Strategy.pdf)

<sup>(9)</sup> [http://www.ilo.org/wcmsp5/groups/public/-ed\\_emp/-emp\\_ent/-multi/documents/publication/wcms\\_094386.pdf](http://www.ilo.org/wcmsp5/groups/public/-ed_emp/-emp_ent/-multi/documents/publication/wcms_094386.pdf)

<sup>(10)</sup> [http://www.unido.org/fileadmin/Lima\\_Declaration.pdf](http://www.unido.org/fileadmin/Lima_Declaration.pdf)

<sup>(11)</sup> [http://www.un.org/disabilities/documents/convention/convention\\_accessible\\_pdf.pdf](http://www.un.org/disabilities/documents/convention/convention_accessible_pdf.pdf)

<sup>(12)</sup> <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>



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- having regard to Rule 52 of its Rules of Procedure,
  
- having regard to the report of the Committee on Development and the opinions of the Committee on Foreign Affairs and the Committee on International Trade (A8-0043/2016),
  
- A. whereas the role of the public sector is fundamental to the achievement of Sustainable Development Goals (SDGs); whereas the private sector is the engine of wealth creation and economic growth in all market economies, generating 90 % of jobs and income in developing countries; whereas the private sector accounts for 84 % of GDP in developing countries according to the United Nations (UN) and has the capacity to provide a sustainable base for domestic resource mobilisation, leading to less aid dependency, as long as it is properly regulated, conforms with human rights principles and environmental standards and is linked to concrete long-term improvements in the domestic economy, sustainable development and inequality reduction;
  
- B. whereas according to the Human Poverty Index of the United Nations Development Programme 1,2 billion people earn less than USD 1,25 per day; whereas inequality is rising and, together with poverty, represents one of the major threats to global stability;
  
- C. whereas there is a clear correlation between the development of a strong manufacturing sector and market poverty reduction: a 1 % increase in manufacturing value added (MVA) per capita decreases the poverty head count by almost 2 % <sup>(1)</sup>;
  
- D. whereas substantial investments are required, with estimates of the funds needed in developing countries amounting to USD 2,4 trillion more per year than what is currently being spent; whereas private financing can complement but not substitute public funding;
  
- E. whereas 2012 was declared by the United Nations the International Year of Cooperatives, to highlight their role in securing development, empowering people, enhancing human dignity and helping achieve the Millennium Development Goals (MDGs); whereas the cooperative sector worldwide has about 800 million members in over 100 countries and is estimated to account for more than 100 million jobs around the world;
  
- F. whereas micro, small and medium-sized enterprises (SMMEs), which form the backbone of all market economies, face much heavier regulatory burdens in developing countries than within the EU, and most of them operate in the informal economy, which is wracked with volatility and where they are denied legal protection, labour rights and access to finance; whereas, according to the World Bank's 'Doing Business 2014' report, the poorest countries are in fact the ones that are subjected to the most regulatory burdens <sup>(2)</sup>;
  
- G. whereas industrialisation (especially through the development of local small and medium-sized enterprises (SMEs) and small and medium-sized industries (SMIs)) is a driver for well-being and development;
  
- H. whereas the 1986 UN Declaration on the Right to Development affirms development as a fundamental human right; whereas the declaration commits to a human rights-based approach, characterised by the realisation of all human rights (economic, social, cultural, civil and political); and whereas the declaration commits also to strengthening international cooperation;

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<sup>(1)</sup> [http://www.unido.org/fileadmin/user\\_media/Services/PSD/WP4\\_2014\\_Industrialisation\\_and\\_social\\_well-being.pdf](http://www.unido.org/fileadmin/user_media/Services/PSD/WP4_2014_Industrialisation_and_social_well-being.pdf)

<sup>(2)</sup> World Bank Group, Doing Business 2014: Understanding Regulations for Small and Medium-Size Enterprises, 29 October 2013

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- I. whereas foreign direct investment (FDI) has the potential to contribute to the achievement of Sustainable Development Goals (SDG), as reflected in UNCTAD's proposal for investing in SDGs (an Action Plan for promoting private sector contributions <sup>(1)</sup>), provided that FDI is properly regulated and linked to concrete improvements in the domestic economy, notably in terms of technology transfers and the creation of training opportunities for the local labour force, including women and young people;
- J. whereas import tariffs play a vital role in providing government revenues and enabling nascent industries to grow within developing countries' own domestic market; whereas import tariffs on processed agricultural products can create space for value addition and job creation within rural economies, while also promoting food security;
- K. whereas 60 % of the developing world's jobs are in the informal sector in micro, small and medium-sized enterprises (MSMEs) and whereas 70 % of MSMEs receive no financing from financial institutions, even though they need it to grow and create jobs;
- L. whereas 51 of the 100 largest economic entities in the world are corporations, and whereas the top 500 multinational corporations account for nearly 70 % of world trade;
- M. whereas the average per capita manufacturing valued added (MVA) of industrialised countries is 10 times higher than that of developing countries and 90 times higher than that of Least Developed Countries (LDCs) <sup>(2)</sup>;
- N. whereas the fiscal space of developed and developing countries is de facto constrained by the requirements of global investors and financial markets; whereas, according to the IMF, developing countries are particularly affected by corporate tax avoidance, as they are more reliant on corporate income tax for raising revenues than OECD countries; whereas practices which facilitate tax dodging by transnational corporations and individuals are widely used by EU Member States;
- O. whereas the High-Level Panel advising UN Secretary-General Ban Ki-Moon on the post-2015 development agenda, which consulted the chief executive officers of 250 companies (with annual revenues of USD 8 trillion) from 30 countries, concluded that sustainability needs to be built into corporate strategies if companies are to be able to take advantage of the commercial opportunities for sustainable growth; whereas the willingness of the private sector to contribute to sustainable development is often hindered by a lack of clear models for enterprises to engage in partnerships with the public sector; whereas the private sector is a potential provider of goods and services to poor communities and people, reducing costs, increasing choices and tailoring products and services to their specific needs, as well as contributing to the spreading of environmental and social safeguards and standards;
- P. whereas, in the absence of a widely accepted definition, public-private partnerships (PPPs) can be defined as multi-stakeholder arrangements between private actors, public bodies and civil society organisations (CSOs), which seek to achieve a mutually beneficial public objective by means of sharing resources and/or expertise;
- Q. whereas the European Development Finance Institutions (EDFI), a group of 15 bilateral institutions which play an important role in providing long-term finance for the private sector in developing and reforming economies, seek to invest in companies with a spectrum of different development effects ranging from reliable electricity and clean water to providing SME finance and access to markets for small farms;

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<sup>(1)</sup> [http://unctad.org/en/PublicationChapters/wir2014ch4\\_en.pdf](http://unctad.org/en/PublicationChapters/wir2014ch4_en.pdf)

<sup>(2)</sup> [http://www.unido.org/fileadmin/user\\_media/Services/PSD/WP4\\_2014\\_Industrialisation\\_and\\_social\\_well-being.pdf](http://www.unido.org/fileadmin/user_media/Services/PSD/WP4_2014_Industrialisation_and_social_well-being.pdf)

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- R. whereas PPPs have for decades been a common form of venture in developed countries, particularly European countries and the US, and are today widely used in developing countries by most donors, accounting for roughly 15-20 % of the total infrastructure investment;
- S. whereas 2,5 billion people, most of them in developing countries and a majority of them women and young people, remain excluded from business communities, the formal financial sector and property and land ownership opportunities; whereas there is a persistent gender gap of 6-9 percentage points across income groups within developing countries; whereas social dialogue is an important means of supporting gender equality in the workplace and reversing the pattern of under-representation of business communities in developing countries;
- T. whereas well-designed and efficiently implemented PPPs have the capacity to mobilise long-term private and public finance, generate innovation in technologies and business models, and incorporate built-in mechanisms to ensure that such partnerships are held accountable to development results;
- U. whereas PPPs in developing countries are to date mostly concentrated in the energy, infrastructure and telecommunications sectors, while their potential in sectors such as agriculture, education, green technologies, research and innovation, healthcare and property rights remains largely untapped;
- V. whereas nearly two thirds of European Investment Bank (EIB) lending to Asian, Caribbean and Pacific (ACP) countries in the past ten years has been geared towards private sector operations; whereas the EIB Cotonou Investment Facility has been recognised as a unique, risk-bearing revolving fund for financing higher-risk investment in support of private sector development;
- W. whereas, although 45 million job seekers join the developing world's labour force every year <sup>(1)</sup>, 34 % of firms in 41 countries admit to the fact that they cannot find the workers they need;
- X. whereas, in the context of the Agenda for Change, blending is recognised as an important instrument for leveraging additional resources by combining EU grants with loans or equity from public and private financiers; whereas, however, European Court of Auditors Special Report 16 (2014) on the use of blending concluded that, for nearly half of the projects examined, there was insufficient evidence to consider that the grants were justified while, for a number of these cases, there were indications that the investments would have been made without the EU contribution;
- Y. whereas manufacturing, with around 470 million jobs worldwide in 2009 and around half a billion jobs worldwide in 2013 <sup>(2)</sup>, provides high potential for employment and wealth generation and for decent and highly qualified work;
- Z. whereas global wealth is increasingly being concentrated in the hands of a small wealthy elite and it is expected that the richest 1 % will own more than half of the global wealth by 2016;
- AA. whereas fair and progressive taxation with welfare and social justice criteria plays a key role in reducing inequalities by shaping the redistribution of wealth from higher income citizens to those most in need in a country;

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<sup>(1)</sup> Building an Employment-Oriented Framework for Strong, Sustainable and Balanced Growth — in 'The Challenges of Growth, Employment and Social Cohesion', Background Paper for High-Level ILO-IMF Conference, ILO, 2010

<sup>(2)</sup> [https://www.unido.org/fileadmin/user\\_media/Research\\_and\\_Statistics/UNIDO\\_IDR\\_2013\\_main\\_report.pdf](https://www.unido.org/fileadmin/user_media/Research_and_Statistics/UNIDO_IDR_2013_main_report.pdf)

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***Long-term strategy for working with the private sector***

1. Acknowledges that private sector investment in developing countries can contribute to achieving the UN Sustainable Development Goals if properly regulated; welcomes and concurs with the Council conclusions of 12 December 2014 on a stronger role of the private sector in development cooperation; welcomes the Commission's initiative to endorse the private sector in becoming, alongside other governmental and non-governmental development organisations and inclusive business models such as cooperatives and social enterprises, an important partner in achieving inclusive and sustainable development in the framework of the UN SDGs, which implies a commitment from the private sector to good governance, poverty reduction and wealth creation through sustainable investment, as well as to reducing inequalities, promoting human rights and environmental standards and empowering local economies; stresses that the different roles of private sector and public sector actors need to be fully understood and recognised by all the parties involved;
2. Calls on the Commission to continue to actively engage in the discussions on Agenda 2030, while recognising the diversity of the private sector and the challenges that are faced in alleviating the poverty of the most marginalised and hardest to reach; deems that any EU policy seeking to involve the private sector in development needs to specify which private sector is being targeted;
3. Emphasises that future partnerships within the 2030 sustainable development agenda must focus more extensively on tackling poverty and inequality; recalls that official development aid (ODA) must remain a key means of eradicating all forms of poverty and of meeting basic social needs in developing countries, and cannot be replaced by private funding; acknowledges the possibilities for leveraging private finance with ODA under conditions of transparency, accountability, ownership and alignment with country priorities and debt sustainability risk;
4. Calls for more public investment in public services accessible for all, especially in the transport sector, access to drinking water, health and education;
5. Believes that the private and public sectors are most effective when they work together in order to create a healthy environment for investment, business activity and the foundations for economic growth; emphasises that all partnerships and alliances with the private sector must focus on shared value priorities that align business goals with the EU's development objectives and observe international standards on development effectiveness; considers that they must be co-designed and co-managed with the partner countries in question to ensure that risks, responsibilities and profits are shared, be cost-effective and have precise development targets, regular milestones, clear accountability and transparency;
6. Welcomes the role played by foreign private sector investment in developing countries in accelerating domestic development; further stresses the importance of encouraging responsible investment which supports local markets and helps alleviate poverty;
7. Supports the work of the Association of European Development Finance Institutions (EDFI), as its members provide capital to enterprises in developing countries through direct investments in companies, as well as indirectly by committing capital to local commercial banks and emerging-market private equity, focusing on micro, small and medium-sized enterprises (MSMEs); urges the Commission to favour these kinds of programmes in its financing and cooperation, as the private sector in developing countries is of utmost importance;
8. Calls for the development of more effective transparency and accountability standards for EU technology companies in connection with the export of technologies that can be used to violate human rights, to aid corruption or to act against the EU's security interests;
9. Stresses that EU trade, investment, security and development policies are interlinked and have a direct impact in the developing countries; reminds that Article 208 of the Lisbon Treaty establishes the principle of policy coherence for development, requiring that the objectives of development cooperation be taken into account in policies that are likely to affect developing countries; calls for all trade and investment policies to be evaluated in terms of development impact, especially with regard to universal access to goods and services of general interest; stresses the importance of improving sustainable development chapters in all future bilateral trade agreements, with a view to including effective reporting schemes for the private sector;

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10. Stresses the need to look at how the private sector can be further engaged in the framework of the European Neighbourhood Policy, to help create economic growth and jobs in Europe's neighbourhood, for example through sharing expertise in providing access to capital;

11. Calls on the Commission to promote, support and finance public-public-partnerships as the first option and to include mandatory and publicly available ex-ante poverty and social impact assessments when development programmes are implemented together with the private sector;

12. Calls for the EU to include formal consultation with civil society organisations and with communities directly and indirectly impacted by development projects;

13. Highlights the vast potential of the EU's added value in partnering with the private sector, in close coordination with its Member State and relevant international organisations, many of which have a proven track record in working with the private sector; stresses that a fully functioning market economy, based on the rule of law, remains an important driver of economic and social development and that the EU's development policy should reflect that fact;

14. Welcomes the 'Framework for Business Engagement with the United Nations', which underlines the fact that a robust private sector delivering economic growth is essential for the achievement of the Sustainable Development Goals and that the private sector 'is making important contributions toward shared economic, social and environmental progress';

15. Welcomes the involvement of the private sector in the OECD High Level Forum on aid effectiveness; welcomes, in particular, initiatives in that context taken on innovative ways of leveraging private sector development funding and the Joint Statement made in Busan in 2011 on 'Expanding and enhancing public and private cooperation for broad-based, inclusive and sustainable growth';

16. Welcomes the fact that the proportion of untied bilateral aid has continuously increased, but expresses concern over continued formal and informal forms of tied aid <sup>(1)</sup>; calls for the EU and its Member States to implement the commitment they made in the European Consensus on Development to 'promote further untying of aid going beyond existing OECD recommendations'; underlines the growth-creating potential of further untied aid, which would benefit local industries in developing countries; calls for an increase in real aid and for sustainable building of regional/local value chains; calls for further empowerment of local actors and an emphasis on building sustainable regional/local value chains; stresses the importance of local and regional ownership, partner countries' own national strategies and reform agendas, the involvement of development projects and the added value provided by securing local supply chains; believes that development policy has an important role to play in addressing the root causes of the current migration flows towards the EU;

17. Acknowledges also the right of all countries, particularly developing countries, to impose temporary capital restrictions in order to prevent financial crises from occurring as a result of short-term and volatile private financial flows; calls for the removal of constraints on this right from all trade and investment agreements, including at the WTO;

18. Points out that the EU needs to take accessibility into account in its support for the private sector, as the exclusion of large sections of the population, such as persons with disabilities, deprives private enterprises of a market of non-negligible size;

### ***Support for the local private sector in developing countries***

19. Points out that SMMEs in developing countries can face much heavier regulatory burdens than those within the EU, and that they lack legal protection and property rights and operate in the volatile informal economy; emphasises, in this regard the importance of land registration systems; stresses the need to promote the local private sector in developing countries, e.g. through access to finance and by promoting entrepreneurship; calls on the Commission, other donors and development agencies to increase their support to build the capacity of domestic SMEs;

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<sup>(1)</sup> ActionAid (2005): Real Aid, An Agenda for Making Aid Work, p. 4.

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20. Calls for the EU to promote nationally-owned development strategies shaping private-sector contributions to development by engaging with the private sector in a development framework that focuses on domestic cooperatives and SMEs and micro enterprises, in particular smallholder farmers, as they offer the greatest potential to drive equitable development in countries;

21. Underlines the need for increased support towards partnering with developing countries to modernise their regulatory frameworks by creating a friendly environment for private initiatives, providing support mechanisms for businesses, while at the same time finding the right balance between creating a climate conducive to investment and protecting public interests and the environment through regulation; notes the need to facilitate the establishment of reliable banking systems and tax administrations in developing countries, capable of providing efficient financial governance and management of public and private funds; calls on partner governments to introduce a sunset clause, whereby redundant measures can be annulled; notes that legislation should be subject to impact assessments aimed at gauging negative job creation and threats to environmental standards;

22. Calls for the EU to strengthen the capacity of developing countries to mobilise domestic revenue in order to combat tax evasion, corruption and illicit financial flows, and in particular to help enable least developed countries and fragile states to build more effective and stable governance institutions, including through the development of fair and effective tax systems; calls, to this end, for the EU to upgrade its financial and technical assistance to developing countries in order to ensure a higher level of transparency and accountability; calls for the EU, its Member States, all the relevant organisations and the developed and developing signatory countries to the 2011 Busan Partnership for Effective Development Cooperation to honour their commitment to intensify their efforts with a view to fighting corruption and illicit financial flows;

23. Calls for the Commission's DG DEVCO to work with DG Growth in replicating regional support structures for SMMEs in developing countries, on the model of the Enterprise Europe Network, aimed at helping them enter legality, gain access to finance and capital, obtain market access and overcome legal obstacles, and supporting in particular the strengthening of the intermediary organisations representing them; highlights the fact that such structures could also become in time launching avenues for local and regional public-private partnerships in areas ranging from agribusiness to vocational training and healthcare programmes, facilitating capacity building, knowledge transfer and experience and the pooling of local and international resources;

24. Reiterates that it is the EU's responsibility to support a fair global tax system, which implies establishing effectively mandatory requirements for public country-by-country reporting of transnational corporations, establishing public registers of the beneficial owners of companies, trusts and similar legal entities, ensuring the automatic exchange of tax information and a fair distribution of taxing rights while negotiating tax and investment treaties with developing countries; considers also that DFIs should only invest in companies and funds that are willing to publicly disclose beneficial ownerships and report back their financial accounts on a country-by-country basis;

25. Recalls that tariff regimes are an essential component of a regulatory environment tailored to pro-poor private sector development and job creation; notes with concern, however, that Economic Partnership Agreements (EPAs) mandate import tariff reduction across a wide range of ACP countries' economic sectors, while eliminating all tariffs on EU imports would considerably lower tariff revenues, in some cases by as much as 15-20 % of government revenues; urges the EU to frame its trade policy in line with the principle of Policy Coherence for Development;

26. Welcomes the EUR 500 million EIB Impact Financing Envelope (IFE) under the Cotonou Investment Facility that allows the EIB to step up its engagement with the private sector in riskier areas and in more challenging environments; deplores the cut in the EIB's lending envelope for Asia; stresses that all EIB investments under the Cotonou Investment Facility should be aligned with country-owned development strategies, in line with the principle of democratic ownership;

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27. Highlights the fact that, in fragile states and post-conflict nations, private sector obstacles to development are greater than elsewhere and require a more targeted approach in order to improve the investment climate and remove stifling, obsolete business regulations, predatory behaviours and the high level of corruption; recommends, in this connection, that the Commission engage with partner countries and the private sector in policy reform dialogue, in order to overcome the deep mistrust between governments and the private sector, enabled traditionally by rent-seeking behaviours, cronyism and lack of legitimacy;

28. Calls on the Commission, the Member States and developing countries to step up their efforts to promote the economic empowerment of women and establish support mechanisms for female entrepreneurs; notes that a savings-led approach to the financial inclusion of women has a proven track record; recommends a gender mainstreaming approach in all partnership programmes, combined with entrepreneurship training for women, young people, individuals with disabilities and targeted female business angel networks; calls for increased support to be given to local female entrepreneurs, so as to enable them to gain from private sector-led growth; recommends that measures be adopted to monitor the process relating to the economic empowerment of women, and notes that, according to the IMF, income per capita would increase significantly if women contributed equally with men to the workforce;

#### ***Engaging the European and international enterprise sector for achieving sustainable development***

29. Highlights the fact that the potential of the private sector's contribution to long-term sustainable development goes beyond its financial resources, experience and expertise, and includes the local establishment of value chains and distribution channels, resulting in job creation, a reduction in poverty and inequalities, the promotion of women's rights and opportunities and environmental sustainability, increased reach and effectiveness, and further access to commercially available and affordable products, services and technology; calls for European development efforts to play a significant role in the implementation of agreed international standards, such as the UN Guiding Principles on Business and Human Rights and the International Labour Organisation standards, including working with enterprises and investors to ensure compliance with the Guiding Principles and the OECD Guidelines on Multinational Enterprise in their business activities and in their supply chains in developing countries;

30. Stresses that social dialogue is essential to ensure that the private sector engages effectively in development; stresses the responsibility of developing countries to support social dialogue between private sector employers, workers and national governments as a way to improve good governance and state stability; calls, in particular, on developing countries to ensure that social dialogue is extended to Export Processing Zones (EPZs) and to industrial clusters;

31. Emphasises that the private sector, and especially local SMEs, must be part of the policy dialogue, alongside all other development partners, in order to facilitate mutual understanding and manage expectations, ensuring efficiency and transparency; underlines in this context the important role of EU delegations in developing countries as a platform for such dialogues; highlights the positive role of cooperatives as catalysts of socially-inclusive development and their capacity to empower communities through jobs and income generation; in particular, points out that workers have formed shared service cooperatives and associations to assist in their self-employment in the informal economy, while in rural areas, savings and credit cooperatives provide access to banking services that are lacking in many communities and finance the formation of small and micro businesses; recognises that the private sector includes actors such as social enterprises and fair-trade organisations, which have social and environmental principles built into their work; calls on the Commission to recognise these efforts in its work on the role of the private sector in development;

32. Calls on the Commission to champion the proposal from investors and other stakeholders to support binding rules on social, environmental and human rights reporting by business, consistent with the EU Directive on Non-Financial Reporting, which are included as one of the new proposed UN Sustainable Development Goals;

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33. Calls for the EU to contribute to the reinforcement and building of structures, networks and institutions of domestic private sector actors, especially MSMEs, taking their role in national and regional policy making;

34. Stresses that one of the key constraints in increasing private participation in developing countries stems from the lack of bankable projects owing to weak legal, institutional and fiscal frameworks and enforcement capacities, as well as of resources for investment planning and project preparation; calls for increased technical assistance to the partner countries' public enterprise sector in order to raise their capacity to assume the responsibility for the management of PPPs and claim ownership at the end of the process; stresses the need for the private sector to foresee long-term investment for returns as, depending on their shareholders, they might otherwise lack the long-term vision needed for returns in social sectors that are key for human development;

35. Notes that private participation in infrastructure in developing countries has increased considerably, from USD 18 billion in 1990 to USD 150 billion in 2013; calls for continued engagement in this respect, noting that the lack of access to infrastructure is a key constraint on private sector growth, undermining output and job creation;

36. Highlights the vast potential for PPPs in agriculture, under a clearly defined and strong legislative framework for property rights and land tenure security, to prevent land grabbing and ensure increased and effective agricultural production; welcomes the launch in 2014 of an EU programme to strengthen land governance in African countries; recommends that the EU and its delegations play an increasing role in working with the partner governments, as well as the EIB, the International Fund for Agricultural Development (IFAD) and other similar bodies, in engaging the private sector to develop market-based solutions to agricultural challenges; stresses the need to establish financial incentives to avoid exclusion of poor remote populations and farmers who grow crops that are not of any major commercial interest or that are unlikely to be attractive to agribusiness partners; emphasises that safeguards should include social and environmental risk assessment, consultation with legitimate representatives of the affected communities, with their free, prior and informed consent on the respective project and legal support for these communities when they so need; asks the Commission to accompany projects with monitoring procedures and to negotiate a revision of contracts in cases that have turned out to be harmful to the local population;

37. Highlights also the risks associated with PPPs in agriculture, including land grabbing, which must be prevented; stresses the importance of focusing assistance on small-scale farmers, in particular women; calls on the Commission to couple any PPPs in the agricultural sector involving EU money with comprehensive measures to protect small-holder farmers, pastoralists and other vulnerable land users against the potential loss of access to land or water; emphasises that safeguards should include social and environmental risk assessment as a condition for the launch of the respective project and legal support for these communities when they so need; recommends that G8 New Alliance projects be replaced with initiatives under the Comprehensive Africa Agriculture Development Programme (CAADP); stresses that financial and social compensations must be binding commitments and that alternative development plans should always be taken into consideration;

38. Recommends that the EU continue to support renewable and green energy projects in developing countries, in particular in remote rural areas, in a sustainable manner; welcomes the fact that one of the priorities of the EIB's IFE is investment in energy, widely recognised as a key element in unlocking economic growth in Africa; expects innovative financing instruments to catalyse private sector investment into renewable energy, energy efficiency and access to energy; encourages also the EIB and the European Development Financial Institutions to further finance investment projects in support of climate change mitigation and adaptation in Africa, in line with the EU's commitment and obligations under the UN Framework Convention on Climate Change (UNFCCC); recalls that priority should be given to small-scale, off-grid and decentralised renewable energy projects, to ensure energy access to rural areas, while avoiding the potential negative social and environmental impact of large-scale energy infrastructure;



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39. Urges the EU to develop a robust regulatory framework, based on development effectiveness criteria, within which the private sector must operate, including for the promotion of long-term contractual PPPs; urges the EU to only promote PPPs if other less expensive and risky financing options are not available, on the basis of a cost-effective analysis; calls on the EU to implement effective safeguard policies for PPP projects to ensure respect for human rights, including women's rights;

40. Welcomes the achievements made in pooling public-private resources for healthcare and improved access to medicines, and with a view to increasingly tapping the potential for technology transfer in developing countries; recommends that the EU become a facilitator in opening avenues for cooperation beyond access to medicines towards reforming dysfunctional healthcare systems in developing countries; stresses that support for local SMEs/SMIs can be enhanced not only through financing instruments, but also through technology transfers, capacity building, sustainable supplier development and business linkages;

41. Highlights the importance of closing the gap between the education system and the existing job market in developing countries; calls for the Commission to facilitate programmes and support PPPs that involve all the stakeholders concerned, from schools, universities, training centres and private sector actors in order to offer opportunities for training and education that are relevant to the marketplace; encourages the establishment of vocational dual training institutions in which young people, while undergoing a professional apprenticeship programme with an emphasis on practical aspects of a profession, can also have theoretical lectures at specialised professional schools;

42. Points out that developing governments' capacities as regulators must be strengthened to successfully achieve sustainable development;

### ***Principles of engagement with the private sector***

43. Highlights the fact that engagement with the enterprise sector requires a flexible approach, tailored not just on the basis of intended outcomes, but also keeping in mind the extent to which local conditions are favourable to private enterprise and investment; recommends a differentiated approach with regard to least developed countries and fragile states; notes that investment and private sector engagement across SDG sectors are highly variable across developing countries; calls on donors to give the majority of their aid to LDCs in the form of grants;

44. Welcomes the criteria outlined in the Commission's communication on the private sector and development for the provision of direct support to the private sector; calls for the setting-up of a clearly defined framework governing all partnerships with the private sector by implementing benchmarks such as actions targeting micro-enterprises, strategies for access to credit and job inclusion for disadvantaged groups, women and young people, which must ensure compliance with the policy coherence for development principle, development effectiveness principles and development policy objectives, specifically poverty and inequality reductions; takes the view that any decision to promote the use of PPPs through blending in developing countries should be based on a thorough assessment of these mechanisms in terms of development impacts, accountability and transparency and on the lessons learned from past experience;

45. Is concerned that safeguards to guarantee the purposeful use of public finance are not always in place; stresses that measurable output indicators, monitoring and evaluation mechanisms must be agreed upon in the preparatory phase of the project while also ensuring that investments comply with international human rights, social and environmental standards and transparency, and that the private sector pays its fair share of taxes; stresses the importance of risk assessment, debt sustainability, transparency and investment protection; highlights the importance of the formal consultative and scrutiny role of national parliaments and of civil society in ensuring full accountability and transparency; recommends that effective access to justice and compensation for victims of corporate abuse should be provided in the developing country where a development project is taking place;

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46. Calls on the Commission and the Member States to ensure that enterprises involved in development partnerships are aligned with the SDGs and abide by and respect the principles of corporate social responsibility (CSR); strongly supports the effective and comprehensive dissemination and implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) within and outside the EU and emphasises the need to take all the necessary policy and legislative measures to address gaps in the effective implementation of the UNGPs, including on access to justice; recommends that all enterprises which operate in developing countries provide a level of transparency in accordance with OECD Guidelines for Multinational Enterprises in terms of respecting human rights, positively contributing to the social and environmental well-being of developing countries and cooperating in partnership with CSOs; highlights the need for Member States to draw up national plans to implement the UN Guiding Principles on Business and Human Rights and especially the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas;

47. Stresses the need for EU trade and development policy to observe the political and economic policy space of developing countries, in particular in least developed countries, to maintain key import tariffs where needed, and to promote the creation of skilled and decent jobs within local manufacturing and agro-processing industries as possible enablers of higher domestic value-added, industrial growth, export growth and diversification, which are key components of inclusive economic and social upgrading; calls for the EU and its Member States to promote concrete measures to ensure that multinational corporations pay taxes in the countries in which their profits are generated and to promote effective country-by-country reporting by the private sector, thus enhancing domestic resource mobilisation capacities and fair competition;

48. Encourages the EU to support the ongoing process of elaboration of a UN international legally binding instrument on transnational corporations and other business enterprises with respect to human rights, as this will clarify the obligations of transnational corporations in the field of human rights, and of corporations in relation to states, and provide for the establishment of effective remedies for victims in cases where domestic jurisdiction is clearly unable to prosecute those companies effectively;

49. Welcomes the Commission's view that the strategic pillars of the ILO Decent Work Agenda need to be fostered, as a way to address inequality and social exclusion, in particular among the most marginalised, including women, children, the elderly and persons with disabilities; highlights the need for companies to support fair treatment of workers and secure safe and healthy working conditions, social protection and social dialogue, while enabling a constructive relationship between workers, management and contractors;

#### ***The Way Forward: steps to be taken to make the private sector a sustainable partner in development policy***

50. Calls on the European institutions and bodies to establish a clear, structured, transparent and accountable framework governing partnerships and alliances with the private sector in developing countries, and stresses that, in parallel with an increased role for the private sector, it is important to develop appropriate safeguards and institutional capacities;

51. Calls for the EU and its Member States to develop a clear and concrete strategy to ensure private sector alignment with the development priorities of national governments and civil society in developing countries;

52. Calls for the setting-up at EU level of sectoral, multi-stakeholder platforms, bringing together the private sector, CSOs, NGOs, think tanks, partner governments, donors, cooperative organisations, social enterprises and other stakeholders, in order to overcome the reservations and the lack of trust among partners and resolve the challenges that inadvertently arise from collaborative development interventions; underlines in this connection the important role of EU delegations in the respective countries as facilitators of such dialogues; notes that the Commission's proposal to reinforce existing mechanisms, such as the Policy Forum for Development, is a step in the right direction;

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53. Recognises the Court of Auditors recommendation that the Commission clearly demonstrate the financial and development additionality of EU grants for blended projects; supports the Commission's intention to expand the scope of blending to include areas beyond infrastructure, such as sustainable agriculture, social sectors and local private sector development if the Commission proves its case; insists, however, that all blending operations must be fully consistent with development effectiveness principles, such as ownership, accountability and transparency, making sure that they pursue the SDGs; calls on the Commission to evaluate the mechanism of blending loans and grants and to strengthen its management capacities with regard to blending projects, as recommended by the Court of Auditors; calls on the Commission to democratise the governance structure of the EU Blending Platform and the regional blending facilities, by properly engaging with all relevant stakeholders at local level, including partner governments, national parliaments, private sector actors, trade unions and local communities; urges the Commission to strengthen the criteria for setting up aid grants and establishing their amounts, and to specify in detail the added value of blending in each of its projects;

54. Calls for an expansion of the current EIB external lending mandate, in order to increase its role in achieving sustainable development and, in particular, to take a more active part in the new private sector strategy, through blending, co-financing of projects and local private sector development; calls, furthermore, for greater transparency and accountability in partnerships and projects associated with the EIB; recalls that EIB financing operations implemented through the Union guarantee granted to the EIB in developing countries should have as their primary objective the reduction and, in the long term, the eradication of poverty; calls on the EIB and the other development financial institutions of Member States to ensure that companies which receive their support do not participate in tax evasion;

55. Calls on the Commission to ensure that partnerships and loans to the private sector in low-income countries and fragile states are associated with direct grants to CSOs and are aligned with the relevant countries' development priorities, in order to ensure citizens' engagement and involve multi-stakeholder processes among CSOs, local governments and trade unions;

56. Calls on the Commission to ensure that all EU delegations have trained and qualified staff actively prepared to facilitate and implement partnerships with private sector actors; notes that the commitment to accelerate the co-location of EIB offices in EU delegations is a step in the right direction; calls on the Commission to apply, in the field, Member States' best practices, whose embassies are commonly a 'first point of contact' for private sector actors;

57. Calls for a stronger commitment on the part of the Commission, when it comes to leveraging its political weight and pursuing avenues of dialogue with partner governments and local authorities, to facilitate a greater and more positive interaction with the private sector; highlights the fact that Country Strategy Papers, National Indicative Programmes and budget support may be the most valuable instruments in spearheading business environment reforms in partner countries and promoting domestic industrialisation; recommends that the EU endorse UNCTAD's Action Plan for Investing in the SDGs; draws attention to the fact that the designing, structuring and implementing of PPPs remains a challenging and complex endeavour and that their success is also dependent upon the enabling environment in which they operate;

58. Emphasises that the responsibility for effective joint action lies not only with the donors and the enterprises involved, but also with the partner governments; calls on the EU to work on strengthening capacity building of partner countries in order to assess when to engage in PPP projects; stresses that good governance, the rule of law, a framework for business reform, anti-corruption measures, public financial management and effective public institutions are paramount to investment, innovation and private sector development;

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59. Calls for greater focus on improving donor coordination and joint programming, as well as a central focus on delivering measurable results and development outcomes, in order to maximise the impact of EU development policy and ensure full accountability for development spending;

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60. Instructs its President to forward this resolution to the Commission, the Council, the Vice-President of the European Commission/High Representative of the European Union for Foreign Affairs and Security Policy, the Secretary-General of the United Nations, UNCTAD, UNIDO and the High-Level Panel on the post-2015 agenda.

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## II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN PARLIAMENT

P8\_TA(2016)0099

**Request for the waiver of immunity of Hermann Winkler****European Parliament decision of 12 April 2016 on the request for waiver of the immunity of Hermann Winkler  
(2016/2000(IMM))**

(2018/C 058/24)

*The European Parliament,*

- having regard to the request for waiver of the immunity of Hermann Winkler, forwarded on 25 September 2015 by the public prosecutor's office in Leipzig, in connection with a preliminary investigation concerning a traffic accident (ref. 600 AR 3037/15), and announced in plenary on 14 December 2015,
  - having regard to the fact that Hermann Winkler has waived his right to be heard in accordance with Rule 9(5) of its Rules of Procedure,
  - having regard to Articles 8 and 9 of Protocol No 7 on the Privileges and Immunities of the European Union, and Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
  - having regard to the judgments of the Court of Justice of the European Union of 12 May 1964, 10 July 1986, 15 and 21 October 2008, 19 March 2010, 6 September 2011 and 17 January 2013 <sup>(1)</sup>,
  - having regard to Article 46 of the German Basic Law (*Grundgesetz*),
  - having regard to Rule 5(2), Rule 6(1) and Rule 9 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0062/2016),
- A. whereas the public prosecutor's office in Leipzig (Germany) has requested the waiver of the parliamentary immunity of Hermann Winkler, Member of the European Parliament, in connection with launching investigative proceedings concerning an alleged offence;

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<sup>(1)</sup> Judgment of the Court of Justice of 12 May 1964, *Wagner v Fohrmann and Krier*, 101/63, ECLI:EU:C:1964:28; judgment of the Court of Justice of 10 July 1986, *Wybot v Faure and others*, 149/85, ECLI:EU:C:1986:310; judgment of the General Court of 15 October 2008, *Mote v Parliament*, T-345/05, ECLI:EU:T:2008:440; judgment of the Court of Justice of 21 October 2008, *Marra v De Gregorio and Clemente*, C-200/07 and C-201/07, ECLI:EU:C:2008:579; judgment of the General Court of 19 March 2010, *Gollnisch v Parliament*, T-42/06, ECLI:EU:T:2010:102; judgment of the Court of Justice of 6 September 2011, *Patriciello*, C-163/10, ECLI: EU: C:2011:543; judgment of the General Court of 17 January 2013, *Gollnisch v Parliament*, T-346/11 and T-347/11, ECLI:EU: T:2013:23.

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- B. whereas, according to Article 9 of the Protocol on the Privileges and Immunities of the European Union, Members shall enjoy, in the territory of their own State, the immunities accorded to members of their parliament;
  - C. whereas, under Article 46(2) of the German Basic Law (*Grundgesetz*), a Member may not be called to account for a punishable offence without the permission of Parliament unless apprehended while committing the offence or in the course of the following day;
  - D. whereas the request relates to preliminary investigations into a serious road traffic accident which took place on 23 September 2015 and in which Hermann Winkler was involved;
  - E. whereas the criminal proceedings do not concern any opinion expressed or vote cast in the performance of the duties of a Member of the European Parliament for the purposes of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
  - F. whereas, in the light of the information acquired by the committee, there is no reason to assume that the intention underlying the criminal proceedings is to damage a Member's political activity (*fumus persecutionis*);
  - G. whereas the alleged offence thus clearly has no connection with the position of Hermann Winkler as a Member of the European Parliament;
  - H. whereas it is therefore advisable that parliamentary immunity be waived in the case in question;
    - 1. Decides to waive the immunity of Hermann Winkler;
    - 2. Instructs its President to forward this decision and the report of its committee responsible immediately to the German authorities and to Hermann Winkler.
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## III

*(Preparatory acts)*

## EUROPEAN PARLIAMENT

P8\_TA(2016)0094

**Products originating in certain ACP states \*\*\*I**

**European Parliament legislative resolution of 12 April 2016 on the proposal for a regulation of the European Parliament and of the Council applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements (recast) (COM(2015)0282 — C8-0154/2015 — 2015/0128(COD))**

**(Ordinary legislative procedure — recast)**

(2018/C 058/25)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0282),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0154/2015),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 8 October 2015 <sup>(1)</sup>,
  - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts <sup>(2)</sup>,
  - having regard to the letter of 16 September 2015 from the Committee on Legal Affairs to the Committee on International Trade in accordance with Rule 104(3) of its Rules of Procedure,
  - having regard to Rules 104 and 59 its Rules of Procedure,
  - having regard to the report of the Committee on International Trade (A8-0010/2016),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
1. Adopts its position at first reading, taking over the Commission proposal and taking account of the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;

<sup>(1)</sup> OJ C 32, 28.1.2016, p. 23

<sup>(2)</sup> OJ C 77, 28.3.2002, p. 1.

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2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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#### **P8\_TC1-COD(2015)0128**

**Position of the European Parliament adopted at first reading on 12 April 2016 with a view to the adoption of Regulation (EU) 2016/... of the European Parliament and of the Council applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements (recast)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2016/1076.)*

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P8\_TA(2016)0095

**Fisheries partnership agreement with Denmark and Greenland: fishing opportunities and financial contribution \*\*\***

**European Parliament legislative resolution of 12 April 2016 on the draft Council decision on the conclusion, on behalf of the European Union, of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand (11634/2015–C8-0377/2015 — 2015/0152(NLE))**

**(Consent)**

(2018/C 058/26)

*The European Parliament,*

- having regard to the draft Council decision (11634/2015),
  - having regard to the draft Protocol setting out the fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand (11633/2015),
  - having regard to the request for consent submitted by the Council in accordance with Article 43, Article 218(6), second subparagraph, point (a), and Article 218(7) of the Treaty on the Functioning of the European Union (C8-0377/2015),
  - having regard to Rule 99(1), first and third subparagraphs, Rule 99(2) and Rule 108(7) of its Rules of Procedure,
  - having regard to the recommendation of the Committee on Fisheries and the opinions of the Committee on Development and the Committee on Budgets (A8-0067/2016),
1. Gives its consent to conclusion of the Protocol;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of Greenland.
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P8\_TA(2016)0096

### **EU-Macao Agreement on certain aspects of air services \*\*\***

**European Parliament legislative resolution of 12 April 2016 on the draft Council decision on conclusion of the Agreement on certain aspects of air services between the European Union and the Government of the Macao Special Administrative Region of the People's Republic of China (05255/2014 — C8-0040/2015 — 2012/0015(NLE))**

**(Consent)**

(2018/C 058/27)

*The European Parliament,*

- having regard to the draft Council decision (05255/2014),
  - having regard to the draft Agreement between the European Union and the Government of the Macao Special Administrative Region of the People's Republic of China on certain aspects of air services (08179/2012),
  - having regard to the request for consent submitted by the Council in accordance with Article 100(2) and Article 218(6), second subparagraph, point (a), and Article 218(8), first subparagraph, of the Treaty on the Functioning of the European Union (C8-0040/2015),
  - having regard to Rule 99(1), first and third subparagraphs, Rule 99(2), and Rule 108(7) of its Rules of Procedure,
  - having regard to the recommendation of the Committee on Transport and Tourism (A8-0072/2016),
1. Gives its consent to conclusion of the agreement;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and to the Government of the Macao Special Administrative Region of the People's Republic of China.

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P8\_TA(2016)0097

**Minimum standard rate of VAT \*****European Parliament legislative resolution of 12 April 2016 on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax, with regard to the duration of the obligation to respect a minimum standard rate (COM(2015)0646 — C8-0009/2016 — 2015/0296(CNS))****(Special legislative procedure — consultation)**

(2018/C 058/28)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2015)0646),
  - having regard to Article 113 of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0009/2016),
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs (A8-0063/2016),
1. Approves the Commission proposal as amended;
  2. Regrets that the Commission published its proposal so late which means that the application of a minimum standard rate of VAT will be retroactive;
  3. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union;
  4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  5. Asks the Council to consult Parliament again if it intends to substantially amend the Commission proposal;
  6. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**Amendment 1****Proposal for a directive****Article 1 — point 1**

Directive 2006/112/EC

Article 97

*Text proposed by the Commission**Amendment*

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From 1 January 2016 until 31 December **2017**, the standard rate may not be lower than 15 %.

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From 1 January 2016 until 31 December **2018**, the standard rate may not be lower than 15 %.

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P8\_TA(2016)0098

## **Agreement on strategic cooperation between Brazil and Europol \***

**European Parliament legislative resolution of 12 April 2016 on the draft Council implementing decision approving the conclusion by the European Police Office (Europol) of the Agreement on Strategic Cooperation between the Federative Republic of Brazil and Europol (13980/2015 — C8-0010/2016 — 2016/0801(CNS))**

**(Consultation)**

(2018/C 058/29)

*The European Parliament,*

- having regard to the Council draft (13980/2015),
  - having regard to Article 39(1) of the Treaty on European Union, as amended by the Treaty of Amsterdam, and Article 9 of Protocol No 36 on transitional provisions, pursuant to which the Council consulted Parliament (C8-0010/2016),
  - having regard to Council Decision 2009/371/JHA of 6 April 2009 establishing the European Police Office (Europol) <sup>(1)</sup>, and in particular Article 23(2) thereof,
  - having regard to Council Decision 2009/934/JHA of 30 November 2009 adopting the implementing rules governing Europol's relations with partners, including the exchange of personal data and classified information <sup>(2)</sup>, and in particular Articles 5 and 6 thereof,
  - having regard to Council Decision 2009/935/JHA of 30 November 2009 determining the list of third States and organisations with which Europol shall conclude agreements <sup>(3)</sup>,
  - having regard to Rules 59 and 50(1) of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0070/2016),
1. Approves the Council draft;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
  4. Calls on the Commission to assess, after the entry into force of the new Europol Regulation (2013/0091(COD)), the provisions contained in the cooperation agreement; calls on the Commission to inform Parliament and the Council of the outcome of this assessment and, if appropriate, to submit a recommendation for an authorisation to open international renegotiation of the agreement;
  5. Instructs its President to forward its position to the Council, the Commission and Europol.

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<sup>(1)</sup> OJ L 121, 15.5.2009, p. 37.

<sup>(2)</sup> OJ L 325, 11.12.2009, p. 6.

<sup>(3)</sup> OJ L 325, 11.12.2009, p. 12.

Tuesday 12 April 2016

P8\_TA(2016)0101

**Breeding animals and their germinal products \*\*\*I****European Parliament legislative resolution of 12 April 2016 on the proposal for a regulation of the European Parliament and of the Council on the zootechnical and genealogical conditions for trade in and imports into the Union of breeding animals and their germinal products (COM(2014)0005 — C7-0032/2014 — 2014/0032(COD))****(Ordinary legislative procedure: first reading)**

(2018/C 058/30)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0005 — 2014/0032(COD)),
  - having regard to the Commission proposal to Parliament and the Council (COM(2014)0004 — 2014/0033(COD)),
  - having regard to Article 294(2) and Articles 42 and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0032/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 25 March 2014 <sup>(1)</sup>,
  - after consulting the Committee of the Regions,
  - having regard to the undertaking given by the Council representative by letter of 18 December 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0288/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Considers that, due to the incorporation of the content of Commission proposal COM(2014)0004 into that position, legislative procedure 2014/0033(COD) has lapsed;
  3. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P8\_TC1-COD(2014)0032****Position of the European Parliament adopted at first reading on 12 April 2016 with a view to the adoption of Regulation (EU) 2016/... of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation')***(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2016/1012.)*

<sup>(1)</sup> OJ C 226, 16.7.2014, p. 70.

Wednesday 13 April 2016

P8\_TA(2016)0111

## **Mobilisation of the European Globalisation Adjustment Fund: application EGF/2015/009 SE/Volvo Trucks**

**European Parliament resolution of 13 April 2016 on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund (application from Sweden — EGF/2015/009 SE/Volvo Trucks) (COM(2016)0061 — C8-0033/2016 — 2016/2022(BUD))**

(2018/C 058/31)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2016)0061 — C8-0033/2016),
  - having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 <sup>(1)</sup> (EGF Regulation),
  - having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(2)</sup>, and in particular Article 12 thereof,
  - having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management <sup>(3)</sup> (IIA of 2 December 2013), and in particular point 13 thereof,
  - having regard to the trilogue procedure provided for in point 13 of the IIA of 2 December 2013,
  - having regard to the letter of the Committee on Employment and Social Affairs,
  - having regard to the letter of the Committee on Regional Development,
  - having regard to the report of the Committee on Budgets (A8-0077/2016),
- A. whereas the Union has set up legislative and budgetary instruments to provide additional support to workers who are suffering from the consequences of major structural changes in world trade patterns or of the global financial and economic crisis and to assist their reintegration into the labour market;
- B. whereas the Union's financial assistance to workers made redundant should be dynamic and made available as quickly and efficiently as possible, in order to facilitate the redeployment and reinsertion of workers made redundant, in accordance with the Joint Declaration of the European Parliament, the Council and the Commission adopted during the conciliation meeting on 17 July 2008, and having due regard to the IIA of 2 December 2013 in respect of the adoption of decisions to mobilise the European Globalisation Adjustment Fund (EGF);
- C. whereas the adoption of the EGF Regulation reflects the agreement reached between the Parliament and the Council to reintroduce the crisis mobilisation criterion, to set the Union financial contribution to 60 % of the total estimated cost of proposed measures, to increase efficiency for the treatment of EGF applications in the Commission and by the Parliament and the Council by shortening the time for assessment and approval, to widen eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses;

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 855.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(3)</sup> OJ C 373, 20.12.2013, p. 1.

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- D. whereas Sweden submitted application EGF/2015/009 SE/Volvo Trucks for a financial contribution from the EGF, following redundancies in the economic sector classified under the NACE Revision 2 Division 29 (Manufacture of motor vehicles, trailers and downstream producers) mainly in the NUTS level 2 region of Upper Norrland (SE33), and whereas 500 out of 647 redundant workers eligible for the EGF contribution are expected to participate in the measures; whereas 470 of those workers were made redundant in Volvo Group Truck Operation EMEA following reductions in its Umeå plant, and 177 others in 4 suppliers and downstream producers (IL Logistics AB, Lemia, Caverion and Isringhausen);
- E. whereas the application was submitted under the intervention criteria of Article 4(1)(a) of the EGF Regulation, which requires at least 500 workers being made redundant over a reference period of four months in an enterprise in a Member State, including workers made redundant by suppliers and downstream producers and / or self-employed persons whose activity has ceased;
- F. whereas the financial control of the actions supported by the EGF is the responsibility of the Member State, as laid down in Article 21(1) of the EGF Regulation;
1. Agrees with the Commission that the conditions set out in Article 4(1)(a) of the EGF Regulation are met and that, therefore, Sweden is entitled to a financial contribution of EUR 1 793 710 under that Regulation, which represents 60 % of the total cost of EUR 2 989 518;
  2. Notes that the Swedish authorities submitted the application for a financial contribution from the EGF on 16 September 2015, and that its assessment was finalised by the Commission on 16 February 2016 and notified to Parliament that day;
  3. Expresses its regret that the Commission was unable to comply with the deadline for the completion of the assessment of this application due to an exceptional shortage of staff; recalls that in the interest of the beneficiaries, assistance should be made available as quickly and efficiently as possible; calls on Member States and the Union institutions involved in the EGF decision-making process to do their utmost to reduce processing time and to simplify procedures so as to ensure the smooth and rapid adoption of decisions on the mobilisation of the EGF;
  4. Notes that the manufacture of commercial vehicles is no longer dominated by European and North American manufacturers, due to newly emerging Asian truck manufacturers; points out that the heavy truck production in the Union decreased in 2014, as well as exports of heavy commercial vehicles, buses and coaches (a decrease of EUR 6,3 billion, or - 11 %) while overall imports of commercial vehicles into the Union increased (+10 %); notes that the truck industry has found it difficult to embrace major transformation and the need to adjust while becoming ever more global; notes that the Swedish authorities argue that the partial relocation of the Volvo Umeå plant is driven by the need to increase efficiency and decrease cost to meet existing and expected global competition, as part of Volvo's optimisation program;
  5. Points out that the redundancies represent a challenge in the region of the county of Västerbotten (of which Umeå is the capital) as the region's job vacancies are in highly qualified fields while most of the targeted workers have only secondary education; notes that the application refers to a recent report claiming that 40 000 new workers will be needed in the Västerbotten region; welcomes the measures targeting workers who need specialised education;
  6. Calls on the Member States to prepare, together with the social partners, strategies to anticipate the projected labour market changes and to protect Union jobs and skills on the basis of comprehensive trade impact assessments made by the Commission for each trade agreement;
  7. Notes that young people not in employment, education or training (NEETs) are not included in the application, because this region is not eligible for such intervention under the Youth Employment Initiative;

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8. Welcomes the fact that the Swedish authorities started providing the personalised services to the affected workers on 30 January 2015, well ahead of the decision on the granting of EGF support for the proposed coordinated package;
9. Notes that Sweden is planning nine types of measures for redundant workers covered by this application: (i) in-depth assessment and individual planning, (ii) various job-search activities and coaching, (iii) motivation and health measures, (iv) entrepreneurship and business creation; (v) education and training, (vi) validation of competences, (vii) job-search assistance with private service providers, (viii) travel expenses and related costs, (ix) job search allowances;
10. Welcomes the measures targeting motivation and health of the workers; considers such actions necessary to strengthen motivation and provide help for those whose health was damaged by being made redundant; appreciates, furthermore, measures for the validation of competences of the participants;
11. Notes the high amount to be spent on allowances and incentives; notes also that the funding of these actions is limited to a maximum amount of 35 % of the total costs for the coordinated package of personalised measures, as set out in the EGF Regulation, and that those actions are conditional on the active participation of the targeted beneficiaries in job-search or training activities;
12. Awaits the answer from the Commission confirming that the proposed job search allowance is not a substitute for the obligation of the Member State with regard to active labour market or social protection measures; expects, furthermore, an analysis of the complementarity of the measures supported by the EGF;
13. Notes that the coordinated package of personalised services has been drawn up in consultation with the targeted beneficiaries and their representatives as well as local public actors;
14. Reminds that, in line with Article 7 of the EGF Regulation, the design of the coordinated package of personalised services should anticipate future labour market perspectives and required skills and should be compatible with the shift towards a resource-efficient and sustainable economy;
15. Recalls the importance of improving the employability of all workers by means of adapted training and the recognition of skills and competences gained throughout a worker's professional career; expects the training on offer in the coordinated package to be adapted not only to the needs of the dismissed workers but also to the actual business environment and the prospective future of professional sectors;
16. Asks the Commission to further detail, in future proposals, the sectors in which the workers are likely to find employment and whether the training on offer is aligned to the future economic prospects and labour market needs in the regions concerned by the dismissals;
17. Notes that the Swedish authorities confirm that the eligible actions do not receive assistance from other Union financial instruments; reiterates its call on the Commission to present a comparative evaluation of those data in its annual reports in order to ensure full respect for existing regulations and that no duplication of Union-funded services can occur;
18. Notes that, to date, the Manufacture of motor vehicles, trailers and semi-trailers sector has been the subject of 22 EGF applications, including this one, 12 of which were based on trade related globalisation and 10 on the global financial and economic crisis;



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19. Calls on the Commission to carefully assess cases where EGF funding is requested for redundancies resulting from delocalisation strategies of enterprises and ensure that these enterprises fully complied with mandatory responsibilities towards the redundant workers, by virtue of national law or pursuant to collective agreements and that EGF is used as a complimentary measure;
  20. Reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures for restructuring companies or sectors;
  21. Appreciates the improved procedure put in place by the Commission, following the Parliament's request for the accelerated release of grants; notes the time pressure that the new timetable implies and the potential impact on the effectiveness of case instruction;
  22. Reminds the Commission of its responsibility and obligation to provide in due time detailed information confirming that the proposed job search allowance does not substitute the obligation of the Member State with regard to active labour market or social protection measures and a detailed analysis showing the complementarity of these EGF measures;
  23. Asks the Commission to assure public access to all the documents related to EGF cases;
  24. Approves the decision annexed to this resolution;
  25. Instructs its President to sign the decision with the President of the Council and arrange for its publication in the *Official Journal of the European Union*;
  26. Instructs its President to forward this resolution, including its Annex, to the Council and the Commission.
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ANNEX

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on the mobilisation of the European Globalisation Adjustment Fund (application from Sweden — EGF/2015/009 SE/Volvo Trucks)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2016/618.)*

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P8\_TA(2016)0112

**Mobilisation of the European Globalisation Adjustment Fund: EGF/2016/000 TA 2016/  
Technical assistance at the initiative of the Commission****European Parliament resolution of 13 April 2016 on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund (EGF/2016/000 TA 2016 — Technical assistance at the initiative of the Commission) (COM(2016)0078 — C8-0095/2016 — 2016/2025(BUD))**

(2018/C 058/32)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2016)0078 — C8-0095/2016),
  - having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 <sup>(1)</sup> (EGF Regulation),
  - having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(2)</sup>, and in particular Article 12 thereof,
  - having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management <sup>(3)</sup> (IIA of 2 December 2013), and in particular point 13 thereof,
  - having regard to its resolution of 24 June 2015 on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2015/000 TA 2015 — Technical assistance at the initiative of the Commission) <sup>(4)</sup>,
  - having regard to the trilogue procedure provided for in point 13 of the IIA of 2 December 2013,
  - having regard to the letter of the Committee on Employment and Social Affairs,
  - having regard to the report of the Committee on Budgets (A8-0078/2016),
- A. whereas the Union has set up legislative and budgetary instruments to provide additional support to workers who are suffering from the consequences of major structural changes in world trade patterns or of the global financial and economic crisis and to assist their reintegration into the labour market;
- B. whereas the Union's assistance to workers made redundant should be dynamic and made available as quickly and efficiently as possible, in accordance with the Joint Declaration of the European Parliament, the Council and the Commission adopted during the conciliation meeting on 17 July 2008, and having due regard to the IIA of 2 December 2013 in respect of the adoption of decisions to mobilise the European Globalisation Adjustment Fund (EGF);

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 855.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(3)</sup> OJ C 373, 20.12.2013, p. 1.

<sup>(4)</sup> Texts adopted, P8\_TA(2015)0237.

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- C. whereas the adoption of the EGF Regulation reflects the agreement reached between the Parliament and the Council to reintroduce the crisis mobilisation criterion, to increase the Union financial contribution to 60 % of the total estimated cost of proposed measures, to increase efficiency for the treatment of EGF applications in the Commission and by the Parliament and the Council by shortening the time for assessment and approval, to widen eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses;
- D. whereas the maximum annual budget available for the EGF is EUR 150 million (2011 prices) and whereas Article 11(1) of the EGF Regulation states that 0,5 % of this amount (i.e. EUR 828 060 in 2016) can be made available for technical assistance at the initiative of the Commission in order to finance preparation, monitoring, data gathering and creation of a knowledge base, administrative and technical support, information and communication activities as well as audit, control and evaluation activities necessary to implement the EGF Regulation;
- E. whereas the European Parliament has repeatedly underlined the necessity of improved value added, efficiency and employability of beneficiaries of the EGF as a Union instrument of support to workers made redundant;
- F. whereas the proposed amount of EUR 380 000 corresponds to approximately 0,23 % of the maximum annual budget available for the EGF in 2016;
1. Acknowledges the measures proposed by the Commission as Technical Assistance to finance expenditure mentioned in Article 11(1) and (4) as well as in Article 12(2), (3) and (4) of the EGF Regulation;
  2. Recalls the importance of networking and exchange of information on the EGF; supports, therefore, the funding of the Expert Group of Contact Persons of the EGF and the networking seminars on the implementation of the EGF; expects that this exchange of information shall also contribute to the better and more detailed reporting on the success rate of the EGF supported measures in the Member States, in particular about the reach and re-employment rate of beneficiaries; supports also all initiatives encompassing enhanced participation and consultation of local authorities managing daily the EGF supported measures;
  3. Welcomes the continued work on the standardised procedures for EGF applications and management using the functionalities of the electronic data exchange system (SFC2014), which allows for the simplification and faster processing of applications and for better reporting; notes that the Commission intends to prepare and fine tune the module for final reports closing the implementation of each EGF case as the priority for 2016; notes, however, that the costs from the EGF budget for the process of SFC2014 remain relatively high;
  4. Welcomes the integration of reporting into the electronic data exchange system (SFC2014); considers that this will ease the administrative burden for Member States and facilitate the use of reports for evaluation purposes;
  5. Notes that the procedure to integrate the EGF into SFC2014 has been going on for years and that the relevant costs for the EGF have been relatively high; notes that this level of cost will need to be maintained for another year after which the cost for maintenance will be lower;
  6. Expresses its regret that the Commission did not present the progress of integration into SFC2014 from the beginning of 2011 until 2014 as requested in Parliament's resolution of 24 June 2015 on the proposal for the Technical Assistance in 2015; reminds the Commission to present the progress as requested above including the latest developments;
  7. Is of the opinion that SFC2014 could also be used to allow the Commission to gather detailed data on the impact of EGF funding, namely in the case of re-employment rates of the redundant workers who have benefited from EGF funding; insists on having better evaluation of the type and quality of jobs found and on the medium and long-term trend as regards the rate of reintegration achieved through EGF interventions;

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8. Welcomes that the Commission intends to invest EUR 70 000 of the available budget under the Technical Assistance in particular on improving the monitoring and evaluation of the impact of EGF support on individual participants; recommends that:

- the budget for monitoring and evaluation be used to assess the longer term impact on EGF beneficiaries, the effectiveness and efficiency of deploying support on the ground as well as to carry out a deeper analysis of the economic mutations causing the dismissals of EGF beneficiaries,
- the EGF coordinator and the Member State provide reliable and complete data on employment outcomes of beneficiaries twelve months after the implementation of the measures. The Commission should aggregate those data, including the re-employment rates of the beneficiaries, and make them available to the European Parliament and the Council,
- more detailed information on the measures accessed by individual participants be recorded and clearly communicated to allow, for instance, for a clearer cost-benefit assessment of different measures, especially in view of higher administrative costs (actions under Article 7(4) of the EGF Regulation),
- the approval of final case reports and the final case closure be coupled with the provision of complete beneficiary outcome information (at an aggregate level);

9. Underlines the need to further enhance the liaising between all those involved in EGF applications, including, in particular, the social partners and stakeholders at regional and local level, to create as many synergies as possible; stresses that interaction between the National Contact Person and regional or local case delivery partners should be strengthened and communication and support arrangements and information flows (internal divisions, tasks and responsibilities) made explicit and agreed on by all partners concerned;

10. Reiterates its call on the Commission to invite the Parliament, within reasonable deadlines, to the expert group meetings and seminars in accordance with the relevant provisions of the Framework Agreement on relations between the European Parliament and the European Commission<sup>(1)</sup>;

11. Asks the Commission to provide justification for the decision to subcontract the mid-term evaluation as required by Article 20(1)(a) of the EGF Regulation to an external contractor; requests that the Commission decides on how to proceed on the basis of cost-benefit analysis with a clear focus on objectivity, outcomes, added value, employability and efficiency;

12. Asks the Commission to include in the mid-term evaluation of the EGF all aspects regarding cost efficiency of all EGF projects, data on direct allowance support, as well as suggestions on improving participation of Member States in the EGF and synergies with measures covered by the ESF or national programmes; notes that this exercise should be combined with the effort to establish a complete database on the outcomes of all EGF interventions; calls for a debate on the outcome of the mid-term evaluation, with the aim of assessing whether the EGF is the most efficient tool for the redundancy challenges;

13. Asks the Commission to include a qualitative and quantitative analysis of the EGF support to young people up to the age of 25 who are not in employment, education or training and to extend this measure after December 2017, in a permanent and sustainable way by proposing a new EGF regulation, especially in view of the implementation of the Youth Guarantee and the ongoing youth unemployment crisis;

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<sup>(1)</sup> OJ L 304, 20.11.2010, p. 47.

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14. Underlines the importance of increasing general awareness about EGF and its visibility; reminds applicant Member States of their role in publicising the actions funded by the EGF to the targeted beneficiaries, authorities, social partners, the media and the general public, as set out in Article 12 of the EGF Regulation;
  15. Asks the Member States and all the institutions involved to make the necessary efforts to further improve procedural and budgetary arrangements in order to increase the impact of the EGF; notes, in this regard, that Parliament is currently drafting an own-initiative report based on the evaluation by the Commission to take stock of the functioning of the EGF Regulation and the cases examined;
  16. Appreciates the improved procedure put in place by the Commission, following Parliament's request for the accelerated release of grants; notes the time pressure that the new timetable implies and the potential impact on the effectiveness of case instruction; calls on the Member States to make greater use of the Commission's assistance before the submission of the formal applications;
  17. Asks the Member States and all the institutions involved to defend the wider use of the derogation for the eligibility thresholds also favoring SMEs, the extension of the reference periods as well as the possibility to include redundant workers offering related services to redundant workers of the referent company, thus contributing to a more efficient and valuable use of the EGF;
  18. Asks the Member States to highlight more clearly the additionality of EGF funding and its link to other funds, and to consider the most appropriate ways for the EGF to add value, ensure synergy with other funding sources and avoid displacement and overlaps;
  19. Approves the decision annexed to this resolution;
  20. Instructs its President to sign the decision with the President of the Council and arrange for its publication in the *Official Journal of the European Union*;
  21. Instructs its President to forward this resolution, including its annex, to the Council and the Commission.
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ANNEX

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on the mobilisation of the European Globalisation Adjustment Fund (EGF/2016/000 TA 2016 — Technical assistance at the initiative of the Commission)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2016/619.)*

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Wednesday 13 April 2016

P8\_TA(2016)0113

## **Draft Amending Budget No 1/ 2016: New instrument to provide emergency support within the Union**

**European Parliament resolution of 13 April 2016 on the Council position on Draft amending budget No 1/2016 of the European Union for the financial year 2016, New instrument to provide emergency support within the Union (07068/2016 — C8-0122/2016 — 2016/2037(BUD))**

(2018/C 058/33)

*The European Parliament,*

- having regard to Article 314 of the Treaty on the Functioning of the European Union,
- having regard to Article 106a of the Treaty establishing the European Atomic Energy Community,
- having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 <sup>(1)</sup>, and in particular Article 41 thereof,
- having regard to the general budget of the European Union for the financial year 2016, as definitively adopted on 25 November 2015 <sup>(2)</sup>,
- having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(3)</sup>,
- having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management <sup>(4)</sup>,
- having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources <sup>(5)</sup>,
- having regard to Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union <sup>(6)</sup>,
- having regard to Draft amending budget No 1/2016, which the Commission adopted on 9 March 2016 (COM(2016)0152),
- having regard to the position on Draft amending budget No 1/2016 which the Council adopted on 16 March 2016 and forwarded to Parliament on 17 March 2016 (07068/2016 — C8-0122/2016),
- having regard to the letter from the Committee on Civil Liberties, Justice and Home Affairs,
- having regard to Rules 88 and 91 of its Rules of Procedure,
- having regard to the report of the Committee on Budgets (A8-0130/2016),

<sup>(1)</sup> OJ L 298, 26.10.2012, p. 1.

<sup>(2)</sup> OJ L 48, 24.2.2016.

<sup>(3)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(4)</sup> OJ C 373, 20.12.2013, p. 1.

<sup>(5)</sup> OJ L 163, 23.6.2007, p. 17.

<sup>(6)</sup> OJ L 70, 16.3.2016, p. 1.



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- A. whereas the massive influx of refugees and migrants into Europe has created an exceptional situation whereby a large number of persons require urgent humanitarian assistance within the Union; whereas this emergency situation has overstretched the response capacity of the most affected Member States; whereas no appropriate instrument was available at Union level to address humanitarian needs of disaster-stricken people within the Union;
- B. whereas the Commission presented on 2 March 2016 a proposal for a Council Regulation aimed at filling a gap in the available instruments in order to address humanitarian needs within the territory of the Union; whereas that Regulation is based on Article 122(1) of the Treaty on the Functioning of the European Union, which does not provide for a role by the European Parliament; whereas Regulation (EU) 2016/369 was adopted by the Council on 15 March 2016;
- C. whereas the Commission subsequently proposed a Draft amending budget aimed at creating the budget structure for that instrument and at making available, from redeployment within the heading 3 of the Multiannual Financial Framework (MFF), EUR 100 million in commitment appropriations and EUR 80,2 million in payment appropriations for immediate funding needs;
- D. whereas the Commission estimates that this new instrument would require EUR 300 million in 2016 (followed by EUR 200 million in 2017 and EUR 200 million in 2018) but that further needs are likely to arise if the migrant and refugee flows continue at their current level;
- E. whereas the Commission also proposes to reinforce the staffing levels of the European Counter-Terrorism Centre in Europol and to provide the corresponding commitment and payment appropriations for an amount of EUR 2,0 million to be redeployed from the Internal Security Fund;
1. Welcomes the proposal by the Commission to enable the Union budget to provide emergency support within the Union territory in order to tackle the humanitarian consequences of the current refugee crisis; points to the deteriorating situation of migrants and asylum seekers, particularly due to the uncoordinated response by European countries, which makes such emergency support all the more necessary and urgent; stresses the need to show solidarity with the Member States facing such an emergency situation on their territory;
  2. Takes note of the solution proposed by the Commission as a matter of urgency; notes that, following the setting-up of two Trust Funds and of a Facility for Refugees in Turkey, a new ad hoc mechanism has been put in place without an overall strategy to address the refugee crisis and without ensuring the full observance of Parliament's prerogatives as co-legislator; points to the problem that the new instrument is not founded on a Commission proposal for a regulation under the ordinary legislative procedure; stresses that Parliament has always acted constructively and swiftly in support of all initiatives in connection with the refugee crisis, and is still doing so with the rapid adoption of this amending budget;
  3. Considers that a more sustainable legal and budgetary framework should be envisaged in order to allow for humanitarian aid within the Union to be mobilised in the future, when circumstances so require; notes that such emergency funding, meant at responding to crises and unforeseen situations, should by its very nature be covered by special instruments and be counted outside the MFF ceilings;
  4. Welcomes the Commission's commitment not to divert appropriations from the external humanitarian aid budget; notes that the Commission proposes to finance the first instalment under this new instrument by redeploying appropriations from the Asylum, Migration and Integration Fund (AMIF) appropriations, which were already meant at ensuring burden-sharing between Member States in dealing with refugees; believes that the entire amount cannot be covered through redeployments without affecting the delivery of the AMIF, which is bound to come under pressure this year and might need further reinforcements if the relocation scheme is to reach full speed; considers, therefore, this EUR 100 million to be a frontloading of appropriations which will need to be compensated at a later stage; notes that there is no margin left under heading 3 and that the Flexibility Instrument has already been used in its entirety for 2016; supports, therefore, the mobilisation of the Contingency Margin for the remaining amount for this year as soon as necessary and

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invites the Commission to present a proposal in this respect; anticipates that an upward revision of the MFF ceiling for heading 3 will prove to be inevitable in order to address all needs linked to the refugee and migration crisis;

5. Approves the proposed increases in staffing for Europol's European Counter-Terrorism Centre considering the current security situation in the European Union; notes that these increases come on top of the ones already agreed in the framework of the recent revision of the Europol legal framework;

6. Urges the Commission to exclude all agencies dealing in the broader sense with migration and security from the 5 % staff reduction target as they are all understaffed given the tremendous increase in workload and tasks over the past two years; calls on the Commission to ensure a balance between the JHA agencies respecting their workload and tasks;

7. Affirms its willingness to adopt Draft amending budget No 1/2016 as presented by the Commission, given the urgency of the situation;

8. Approves the Council position on Draft amending budget No 1/2016;

9. Instructs its President to declare that Amending budget No 1/2016 has been definitively adopted and to arrange for its publication in the *Official Journal of the European Union*;

10. Instructs its President to forward this resolution to the Council, the Commission, the Court of Auditors and the national parliaments.

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Wednesday 13 April 2016

P8\_TA(2016)0114

**Nomination of a member of the Court of Auditors — Samo Jereb****European Parliament decision of 13 April 2016 on the nomination of Samo Jereb as a Member of the Court of Auditors (C8-0025/2016 — 2016/0804(NLE))****(Consultation)**

(2018/C 058/34)

*The European Parliament,*

- having regard to Article 286(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0025/2016),
  - having regard to Rule 121 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control (A8-0060/2016),
- A. whereas Parliament's Committee on Budgetary Control proceeded to evaluate the credentials of the nominee, in particular in view of the requirements laid down in Article 286(1) of the Treaty on the Functioning of the European Union;
- B. whereas at its meeting of 15 March 2016 the Committee on Budgetary Control heard the Council's nominee for membership of the Court of Auditors;
1. Delivers a favourable opinion on the Council's nomination of Samo Jereb as a Member of the Court of Auditors;
  2. Instructs its President to forward this decision to the Council and, for information, the Court of Auditors, the other institutions of the European Union and the audit institutions of the Member States.
-

Wednesday 13 April 2016

P8\_TA(2016)0115

## **Nomination of a member of the Court of Auditors — Mihails Kozlovs**

**European Parliament decision of 13 April 2016 on the nomination of Mihails Kozlovs as a Member of the Court of Auditors (C8-0411/2015 — 2015/0814(NLE))**

**(Consultation)**

(2018/C 058/35)

*The European Parliament,*

- having regard to Article 286(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0411/2015),
  - having regard to Rule 121 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control (A8-0059/2016),
- A. whereas Parliament's Committee on Budgetary Control proceeded to evaluate the credentials of the nominee, in particular in view of the requirements laid down in Article 286(1) of the Treaty on the Functioning of the European Union;
- B. whereas at its meeting of 15 March 2016 the Committee on Budgetary Control heard the Council's nominee for membership of the Court of Auditors;
1. Delivers a favourable opinion on the Council's nomination of Mihails Kozlovs as a Member of the Court of Auditors;
  2. Instructs its President to forward this decision to the Council and, for information, the Court of Auditors, the other institutions of the European Union and the audit institutions of the Member States.
-

Wednesday 13 April 2016

P8\_TA(2016)0116

**Nomination of a member of the Court of Auditors — Jan Gregor****European Parliament decision of 13 April 2016 on the nomination of Jan Gregor as a Member of the Court of Auditors (C8-0412/2015 — 2015/0815(NLE))****(Consultation)**

(2018/C 058/36)

*The European Parliament,*

- having regard to Article 286(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0412/2015),
  - having regard to Rule 121 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control (A8-0057/2016),
- A. whereas Parliament's Committee on Budgetary Control proceeded to evaluate the credentials of the nominee, in particular in view of the requirements laid down in Article 286(1) of the Treaty on the Functioning of the European Union;
- B. whereas at its meeting of 15 March 2016 the Committee on Budgetary Control heard the Council's nominee for membership of the Court of Auditors;
1. Delivers a favourable opinion on the Council's nomination of Jan Gregor as a Member of the Court of Auditors;
  2. Instructs its President to forward this decision to the Council and, for information, the Court of Auditors, the other institutions of the European Union and the audit institutions of the Member States.
-

Wednesday 13 April 2016

P8\_TA(2016)0117

## **Nomination of a member of the Court of Auditors — Ladislav Balko**

**European Parliament decision of 13 April 2016 on the nomination of Ladislav Balko as a Member of the Court of Auditors (C8-0413/2015 — 2015/0816(NLE))**

**(Consultation)**

(2018/C 058/37)

*The European Parliament,*

- having regard to Article 286(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0413/2015),
  - having regard to Rule 121 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control (A8-0055/2016),
- A. whereas Parliament's Committee on Budgetary Control proceeded to evaluate the credentials of the nominee, in particular in view of the requirements laid down in Article 286(1) of the Treaty on the Functioning of the European Union;
- B. whereas at its meeting of 15 March 2016 the Committee on Budgetary Control heard the Council's nominee for membership of the Court of Auditors;
1. Delivers a favourable opinion on the Council's nomination of Ladislav Balko as a Member of the Court of Auditors;
  2. Instructs its President to forward this decision to the Council and, for information, the Court of Auditors, the other institutions of the European Union and the audit institutions of the Member States.
-

Wednesday 13 April 2016

P8\_TA(2016)0118

**Nomination of a member of the Court of Auditors — Janusz Wojciechowski****European Parliament decision of 13 April 2016 on the nomination of Janusz Wojciechowski as a Member of the Court of Auditors (C8-0414/2015 — 2015/0817(NLE))****(Consultation)**

(2018/C 058/38)

*The European Parliament,*

- having regard to Article 286(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0414/2015),
  - having regard to Rule 121 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control (A8-0061/2016),
- A. whereas Parliament's Committee on Budgetary Control proceeded to evaluate the credentials of the nominee, in particular in view of the requirements laid down in Article 286(1) of the Treaty on the Functioning of the European Union;
- B. whereas at its meeting of 15 March 2016 the Committee on Budgetary Control heard the Council's nominee for membership of the Court of Auditors;
1. Delivers a negative opinion on the Council's nomination of Janusz Wojciechowski as a Member of the Court of Auditors;
  2. Instructs its President to forward this decision to the Council and, for information, the Court of Auditors, the other institutions of the European Union and the audit institutions of the Member States.
-

Thursday 14 April 2016

P8\_TA(2016)0124

## **Non-objection to a delegated act: detailed rules concerning certain provisions of the Union Customs Code**

**European Parliament decision to raise no objections to the Commission delegated regulation of 5 April 2016 correcting Delegated Regulation (EU) 2015/2446 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (C(2016)01934 — 2016/2639(DEA))**

(2018/C 058/39)

*The European Parliament,*

- having regard to the Commission delegated regulation (C(2016)01934),
  - having regard to the Commission's letter of 11 March 2016 asking Parliament to declare that it will raise no objections to the delegated regulation,
  - having regard to the letter from the Committee on the Internal Market and Consumer Protection to the Chair of the Conference of Committee Chairs of 7 April 2016,
  - having regard to Article 290 of the Treaty on the Functioning of the European Union,
  - having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code <sup>(1)</sup>, and in particular Article 160 and Article 284(5) thereof,
  - having regard to the recommendation for a decision of the Committee on the Internal Market and Consumer Protection,
  - having regard to Rule 105(6) of its Rules of Procedure,
  - having regard to the fact that no objections have been raised within the period laid down in the third and fourth indents of Rule 105(6) of its Rules of Procedure, which expired on 13 April 2016,
- A. whereas, following the publication of Commission Delegated Regulation (EU) 2015/2446 <sup>(2)</sup>, two errors were detected;
- B. whereas the first error concerns the presumption of a customs declaration laid down in Article 139 of Delegated Regulation (EU) 2015/2446 for some of the types of goods referred to in Article 136(1) of that delegated regulation; whereas the order of the goods listed in Article 136 of Delegated Regulation (EU) 2015/2446 was changed during the final review of that delegated regulation before its adoption, but, by mistake, the references to those goods in Article 139 of that delegated regulation were not updated; whereas the references in question should therefore be corrected;
- C. whereas the second error concerns Article 141(1) of Delegated Regulation (EU) 2015/2446; whereas the currently applicable point (b) of Article 233(1) of Commission Regulation (EEC) No 2454/93 <sup>(3)</sup>, which provides for the possibility, in a number of limited and very specific cases, to deem the crossing of the border to be a declaration for temporary importation, export or re-export, was by mistake not included in Delegated Regulation (EU) 2015/2446, and whereas, as a result, there is no possibility of declaring certain goods by the sole act of crossing the frontier of the Union customs territory; whereas Article 141(1) of Delegated Regulation (EU) 2015/2446 should therefore be corrected;

<sup>(1)</sup> OJ L 269, 10.10.2013, p. 1.

<sup>(2)</sup> Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

<sup>(3)</sup> Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).



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- D. whereas these two mistakes will affect trade flows and have a very negative impact on customs authorities and traders if they are not corrected before 1 May 2016, when the relevant provisions of Regulation (EU) No 952/2013 will become applicable;
- E. whereas the delegated regulation may only enter into force at the end of the period set for scrutiny by Parliament and the Council if no objection has been raised either by Parliament or by the Council or if, before the expiry of that period, both Parliament and the Council have informed the Commission that they will not object; whereas the scrutiny period is set under Article 284(5) of Regulation (EU) No 952/2013 as two months from the date of notification, that is to say, it runs until 5 June 2016, and may be extended by a further period of two months;
- F. whereas, however, on grounds of urgency, the Commission asked on 11 March 2016 for an early confirmation of the delegated regulation before 1 May 2016 by Parliament;
1. Declares that it has no objections to the delegated regulation;
  2. Instructs its President to forward this decision to the Council and the Commission.
-

Thursday 14 April 2016

P8\_TA(2016)0125

## Protection of individuals with regard to the processing of personal data \*\*\*II

**European Parliament legislative resolution of 14 April 2016 on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (05419/1/2016 — C8-0140/2016 — 2012/0011(COD))**

(Ordinary legislative procedure: second reading)

(2018/C 058/40)

*The European Parliament,*

- having regard to the Council position at first reading (05419/1/2016 — C8-0140/2016),
  - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Belgian Chamber of Representatives, the German Bundesrat, the French Senate, the Italian Chamber of Deputies and the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the European Economic and Social Committee of 23 May 2012 <sup>(1)</sup>,
  - having regard to the opinion of the Committee of the Regions of 10 October 2012 <sup>(2)</sup>,
  - having regard to the opinions of the European Data Protection Supervisor of 7 March 2012 <sup>(3)</sup> and 19 November 2015 <sup>(4)</sup>,
  - having regard to the opinion of the Commission (COM(2016)0214),
  - having regard to its position at first reading <sup>(5)</sup> on the Commission proposal to Parliament and the Council (COM(2012)0011),
  - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 76 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Civil Liberties, Justice and Home Affairs (A8-0139/2016),
1. Approves the Council position at first reading;
  2. Notes that the act is adopted in accordance with the Council position;
  3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
  4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
  5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>(1)</sup> OJ C 229, 31.7.2012, p. 90.

<sup>(2)</sup> OJ C 391, 18.12.2012, p. 127.

<sup>(3)</sup> OJ C 192, 30.6.2012, p. 7.

<sup>(4)</sup> OJ C 67, 20.2.2016, p. 13.

<sup>(5)</sup> Texts adopted of 12.3.2014, P8\_TA(2014)0212.

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P8\_TA(2016)0126

**Processing of personal data for the purposes of crime prevention \*\*\*II**

**European Parliament legislative resolution of 14 April 2016 on the Council position at first reading with a view to the adoption of a directive of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (05418/1/2016 — C8-0139/2016 — 2012/0010(COD))**

**(Ordinary legislative procedure: second reading)**

(2018/C 058/41)

*The European Parliament,*

- having regard to the Council position at first reading (05418/1/2016 — C8-0139/2016),
  - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the German Bundesrat and the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the Committee of the Regions of 10 October 2012 <sup>(1)</sup>,
  - having regard to the opinions of the European Data Protection Supervisor of 7 March 2012 <sup>(2)</sup> and 19 November 2015 <sup>(3)</sup>,
  - having regard to the opinion of the Commission (COM(2016)0213),
  - having regard to its position at first reading <sup>(4)</sup> on the Commission proposal to Parliament and the Council (COM(2012)0010),
  - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 76 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Civil Liberties, Justice and Home Affairs (A8-0138/2016),
1. Approves the Council position at first reading;
  2. Notes that the act is adopted in accordance with the Council position;
  3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
  4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
  5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>(1)</sup> OJ C 391, 18.12.2012, p. 127.

<sup>(2)</sup> OJ C 192, 30.6.2012, p. 7.

<sup>(3)</sup> OJ C 67, 20.2.2016, p. 13.

<sup>(4)</sup> Texts adopted of 12.3.2014, P8\_TA(2014)0219.

Thursday 14 April 2016

P8\_TA(2016)0127

### Use of Passenger Name Record data (EU PNR) \*\*\*I

**European Parliament legislative resolution of 14 April 2016 on the proposal for a directive of the European Parliament and of the Council on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (COM(2011)0032 — C7-0039/2011 — 2011/0023(COD))**

**(Ordinary legislative procedure: first reading)**

(2018/C 058/42)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0032),
- having regard to Article 294(2), point (d) of the second subparagraph of Article 82(1), and point (a) of Article 87(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0039/2011),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the contributions submitted by the Bulgarian Parliament, the Czech Senate, the German Bundesrat, the Italian Senate, the Netherlands Senate, the Austrian National Council, the Portuguese Parliament and the Romanian Senate on the draft legislative act,
- having regard to the opinion of the European Economic and Social Committee of 5 May 2011 <sup>(1)</sup>,
- having regard to the opinion of the European Data Protection Supervisor of 25 March 2011 <sup>(2)</sup>,
- having regard to the judgment of the Court of Justice of 8 April 2014 in Joined Cases C-293/12 and C-594/12, *Digital Rights Ireland and Seitlinger and others* <sup>(3)</sup>,
- having regard to Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(4)</sup>,
- having regard to the undertaking given by the Council representative by letter of 7 December 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rules 59 and 188 of its Rules of Procedure,
- having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Foreign Affairs and the Committee on Transport and Tourism (A7-0150/2013),
- having regard to the Decision of the Conference of Presidents of 18 September 2014 on unfinished business from the seventh parliamentary term,
- having regard to the second report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Foreign Affairs and the Committee on Transport and Tourism (A8-0248/2015),

<sup>(1)</sup> OJ C 218, 23.7.2011, p. 107.

<sup>(2)</sup> OJ C 181, 22.6.2011, p. 24.

<sup>(3)</sup> Judgment of the Court of Justice of 8 April 2014, *Digital Rights Ireland and Seitlinger and others*, Joined Cases C-293/12 and C-594/12, ECLI:EU:C:2014:238.

<sup>(4)</sup> OJ L 281, 23.11.1995, p. 31.

Thursday 14 April 2016

1. Adopts its position at first reading hereinafter set out;
2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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**P8\_TC1-COD(2011)0023**

**Position of the European Parliament adopted at first reading on 14 April 2016 with a view to the adoption of Directive (EU) 2016/... of the European Parliament and of the Council on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2016/681.)*

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Thursday 14 April 2016

P8\_TA(2016)0131

### **Protection of trade secrets against their unlawful acquisition, use and disclosure \*\*\*I**

**European Parliament legislative resolution of 14 April 2016 on the proposal for a directive of the European Parliament and of the Council on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (COM(2013)0813 — C7-0431/2013 — 2013/0402(COD))**

**(Ordinary legislative procedure: first reading)**

(2018/C 058/43)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0813),
  - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0431/2013),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 25 March 2014 <sup>(1)</sup>,
  - having regard to the undertaking given by the Council representative by letter of 18 December 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs and the opinions of the Committee on Industry, Research and Energy and the Committee on the Internal Market and Consumer Protection (A8-0199/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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### **P8\_TC1-COD(2013)0402**

**Position of the European Parliament adopted at first reading on 14 April 2016 with a view to the adoption of Directive (EU) 2016/... of the European Parliament and of the Council on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2016/943.)*

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<sup>(1)</sup> OJ C 226, 16.7.2014, p. 48.

Thursday 14 April 2016

P8\_TA(2016)0132

**Parliament's estimates of revenue and expenditure for the financial year 2017****European Parliament resolution of 14 April 2016 on Parliament's estimates of revenue and expenditure for the financial year 2017 (2016/2019(BUD))**

(2018/C 058/44)

*The European Parliament,*

- having regard to Article 314 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 <sup>(1)</sup>, and in particular Article 36 thereof,
- having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(2)</sup>,
- having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management <sup>(3)</sup>,
- having regard to Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union <sup>(4)</sup>,
- having regard to its resolution of 28 October 2015 on the Council position on the draft general budget of the European Union for the financial year 2016 <sup>(5)</sup>,
- having regard to its resolution of 25 November 2015 on the joint text on the draft general budget of the European Union for the financial year 2016 approved by the Conciliation Committee under the budgetary procedure <sup>(6)</sup>,
- having regard to the Secretary-General's report to the Bureau on drawing up Parliament's preliminary draft estimates for the financial year 2017,
- having regard to the preliminary draft estimates drawn up by the Bureau on 11 April 2016 pursuant to Rules 25(7) and 96(1) of Parliament's Rules of Procedure,
- having regard to the draft estimates drawn up by the Committee on Budgets pursuant to Rule 96(2) of Parliament's Rules of Procedure,
- having regard to Rules 96 and 97 of its Rules of Procedure,
- having regard to the report of the Committee on Budgets (A8-0131/2016),

A. whereas this procedure is the second full budgetary procedure conducted in the new legislature and the fourth year of the 2014-2020 multiannual financial framework;

<sup>(1)</sup> OJ L 298, 26.10.2012, p. 1.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(3)</sup> OJ C 373, 20.12.2013, p. 1.

<sup>(4)</sup> OJ L 287, 29.10.2013, p. 15.

<sup>(5)</sup> Texts adopted, P8\_TA(2015)0376.

<sup>(6)</sup> Texts adopted, P8\_TA(2015)0407.

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- B. whereas the 2017 budget, as proposed in the Secretary General's report, would be marked by a continuation and intensification of the institution's policy of carrying out the efficiency gains in all areas where these are possible without compromising the quality of the work environment of the Members and staff;
- C. whereas four priority objectives have been proposed by the Secretary-General for the 2017 budget, namely: security and cyber-security, phasing out of the derogation for the Irish language, ongoing measures to empower Members in their mandate and making Parliament attractive to the public and visitors;
- D. whereas, in the current political and security context arising from the terrorist attacks in Europe, the 2017 budgetary procedure should result in the increase of Parliament's security and cyber-security;
- E. whereas a budget of EUR 1 910 073 000 has been proposed by the Secretary-General for Parliament's preliminary draft estimates for 2017, representing an overall increase of 3,9 % on the 2016 budget, from which 1,7 % is considered to be ordinary expenditure, and would constitute 19,26 % of heading V of the 2014-2020 MFF;
- F. whereas between 2017 and 2022 the derogation for the non-translation of all official documents into Irish will be gradually phased out, entailing the translation of all official documents also into Irish and an additional extraordinary expenditure of EUR 3,7 million is proposed to comply with this new linguistic requirement, corresponding to 0,2 % of the overall increase;
- G. whereas additional extraordinary investments of EUR 47,6 million are required to reinforce security and cybersecurity, corresponding to 2,6 % of the overall increase;
- H. whereas, the inflation rates have constantly decreased since 2011; whereas the real inflation rate in the Parliament's working places in 2015 and in 2016 was lower than the actual rate of increase of its budget;
- I. whereas almost 60 % of the budget is index bound expenditure which relates, for the major part, to remunerations for Members and staff, adjusted according to the Staff Regulations, and contractual obligations, corresponding to sector specific indexation that is usually higher than standard inflation rate;
- J. whereas the Parliament stressed in its resolution of 29 April 2015 on Parliament's estimates of revenue and expenditure for the financial year 2016 <sup>(1)</sup> that the 2016 budget should be set on a realistic basis and should be in line with the principles of budgetary discipline and sound financial management;
- K. whereas the credibility of Parliament as one arm of the budgetary authority depends to a large extent on its ability to bring its own spending under control;
- L. whereas the Bureau adopted on 26 October 2015 a new set of rules for the management of the parliamentary assistance allowances, reinforcing the requirements for the reimbursement of local assistant contracts, namely by earmarking at least 25 % of the parliamentary assistance allowance to cover expenditure on accredited assistants;

**General framework**

1. Stresses that the share of Parliament's budget in 2017 should be maintained under 20 % of heading V; notes that the level of preliminary draft estimates for 2017, as set out in the position of the Bureau of 9 March 2016, corresponded to 19,26 %, which is lower than that achieved in 2016 (19,39 %) and the second lowest part of heading V in the past eight years; further reduces its share of heading V to 19,17 % for 2017;

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0172.



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2. Considers, however, that, taking into account the economic slowdown experienced by Member States, the forecast level of inflation for 2017 should not be considered as the main benchmark for the increases in ordinary expenditure;
3. Confirms that extraordinary expenditure representing a 0,2 % increase compared to the 2016 budget for the phasing out of the temporary derogation measures for the use of the Irish language that were established by Council Regulation (EC) No 920/2005 of 13 June 2005 <sup>(1)</sup> has been requested;
4. Notes the request for a 2,6 % increase for security and cybersecurity, which would more than double the resources allocated in 2016; urges the Secretary-General to provide the Committee on Budgets detailed information in a transparent manner on current and upcoming security and cybersecurity measures and the breakdown of their costs;
5. Approves the envelope of extraordinary expenditure for security investments in 2017 following the analysis presented in February 2016 to the Bureau and supplemented by the screening made following the events of 22 March 2016 (EUR 47,6 million) and the envelope of extraordinary expenditure linked to the phasing out of the temporary derogation for the use of the Irish language (EUR 3,7 million);
6. Limits the increase of its ordinary expenditure for 2017, without the two extraordinary envelopes, to 1,4 % compared to the ordinary expenditure of the 2016 budget and 0,6 % compared to the 2016 budget;
7. Sets the overall level of its estimates for 2017 to EUR 1 900 873 000, corresponding to a total increase of 3,4 % compared to the 2016 budget;
8. Underlines that Parliament should be provided with the sufficient resources required to comply with its core function as a legislative body and budgetary authority; stresses that, in the current economic context, those resources should be managed with rigour, pragmatism and efficiency; points out that while ensuring a proper level of financing for the Parliament is appropriate for the exercise of European democracy, efforts to look for savings and to strive for further enhancing the efficiency of the use of public money should be strongly encouraged;
9. Emphasises that the largest part of Parliament's budget and its annual indexation is fixed by statutory or contractual obligations, which cannot be influenced by Parliament in the budgetary procedure;

#### ***Transparency, accessibility and readability***

10. Calls on the Secretary-General to make a proposal for presenting the budget to the general public in appropriate detail and in an intelligible and user-friendly manner on the website of the Parliament in order to enable all citizens to develop a better understanding of Parliament's activities, priorities and corresponding spending patterns; considers that a first step could consist of making the information graphics currently available in the intranet appear on the website of the Parliament;
11. Considers that, as for the budgetary process, any relevant information should be presented to Members of the Bureau and the Committee on Budgets at every stage of the procedure in a timely and intelligible manner and with the necessary level of detail and breakdowns in order to enable the Bureau, the Committee on Budgets and the political groups to conduct proper deliberations and base decisions on a comprehensive picture of the state and needs of Parliament's budget;
12. Underlines the need for precision and transparency in the evolution of the budget from one year to the other; considers that while certain extraordinary expenditure such as security is justifiable for the 2017 budget, the growing use of extraordinary expenditure annually is problematic in terms of budgetary scrutiny and stability; asks for a more precise definition of extraordinary expenditure; believes that, for the sake of accountability and comparability of data in the general budget, an assessment should be conducted about whether the extraordinary expenditure should be included in the basis for the calculation of the percentage difference between budgets year on year;

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<sup>(1)</sup> OJ L 156, 18.6.2005, p. 3.

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13. Reiterates its call for medium and long term budgetary planning, including a clear distinction between investments and operational expenditure relating to the functioning of Parliament as well as its statutory obligations (including on rents and acquisitions), in line with its resolution of 29 April 2015 on Parliament's estimates of revenue and expenditure for the financial year 2016 <sup>(1)</sup>, calls accordingly for a change to the presentation that makes a clear distinction between investment expenditure and operating expenditure;

14. Commends the Bureau and DG ITEC on the new layout of Members' personal pages on the official website of the Parliament providing more transparency on the composition and the status of their working team (creation of a new 'assistant' tab with sub headings: assistants, accredited assistants, accredited assistants (grouping), local assistants, services providers, paying agents, trainees); asks the Secretary-General to ensure the necessary controls for the implementation of the new set of rules for the parliamentary assistance allowances adopted by the Bureau on 26 October 2015;

15. Calls for a budget to be drawn up, at least once every five years, on the basis of the real needs of individual items and not on the basis of a system of coefficients;

***Security and cybersecurity***

16. Calls for medium and long term budgetary planning, including clear information with regard to expenditure relating to security and cybersecurity; moreover, in light of recent events, invites the Bureau to update the Global Security Concept and communicate it, as fast as possible and at the latest by June 2016;

17. Considers that any measure in this field should be based on a clear evaluation of Parliament's needs and proportionality with the incurred risks; requests the Secretary-General and the Bureau to present on time before the Parliament's reading on the 2017 budget to the Committee on Budgets a Global Security Concept including a global evaluation on risks perceived and security measures envisaged as well as alternative options, accompanied by detailed evaluation of their budgetary impact on 2017 budget and the following budgets, with a clear distinction between investments and recurrent expenditure and to outline the measures envisaged to reinforce Parliament's security inside and outside of its premises, as well as the impact of such measures on the 2017 budget; calls for information on the financial consequences of the interinstitutional administrative cooperation arrangements in the field of security;

18. Asks the Secretary-General to assess whether there is a need to review existing insurance contracts (for Members and staff) in the light of terrorist threats and make, if appropriate, proposals to address possible shortcomings;

19. Considers that the security system outside Parliament's premises should continue to be guaranteed by the Belgian authorities;

***Empowering Members mandate***

20. Takes notes of the ongoing measures to empower Members in their mandate;

21. Welcomes the extension of the Members' Digital Portal (e-Portal), however, invites the Secretary-General to improve upon this in the light of the 'paperless initiative', the current system of sending paper copy payment slips to the Members, with the aim of eventually abolishing it by the end of year 2017; considers that the e-Portal should provide this feature to all Members electronically by default, which would result in considerable savings in both time and economic terms;

22. Welcomes the increasing quality of advice and research provided to Members and committees; recalls that a mid-term evaluation of the efficacy of the cooperation between the European Parliamentary Research Service (EPRS) and the policy departments was foreseen when the EPRS was created in 2013; requests therefore the Secretary-General to proceed

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0172.

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to undertake such an evaluation and present the results to the Committee on Budgets by the end of 2016; considers that this evaluation should contain proposals as to how to ensure that the support provided by EPRS is best articulated with developments in the respective thematic committees while meeting the needs of individual Members, and does not overlap with activities of policy departments nor encourage competition between services;

23. Is of the opinion that the need of Members in their constituencies should be evaluated, also taking into account differences between constituencies, in order to better empower the Members in their constituency work; believes that mobile workspaces for Members and support in constituencies should be based on real needs and use assessment, and should not generate any significant or recurring additional costs to the Parliament; insists that no hardware should be provided as the GEA provides sufficient resources for the purchase of state-of-the-art devices; questions the need for developing a private mobile work space for Members as this does not seem to correspond to the way Members and their offices organise themselves;

24. Agrees that IT tools are an important instrument for Members to deliver on their function; reiterates, however, the necessity to allow the installation of free-source software which would allow considerable cost savings in/from communication fees, and would improve the work-flow of Members' offices, while taking cybersecurity into account and ensuring data protection;

25. Requests that the possibility of signing internal documents digitally should be made commonplace, across all instances, such as signing forms, written declarations etc., while ensuring reliability and security; asks to assess the possibility to introduce a TAN verification system on the MEP's mobile; believes, moreover, that the use of fax machines should be discouraged and gradually phased out on the decision of the individual MEP;

26. Welcomes the new reform on additional written questions adopted on 3 September 2015 by the Committee on Constitutional Affairs on a request of the Committee on Budgets upon the adoption of Parliament's budget for the year 2016; asks the Secretary-General to set up the necessary controls for the implementation of the new interpretation; invites the Conference of Presidents to carry out an assessment of this new regime of written questions in respect of additional questions to analyse the savings generated and to inform the Committee on Budgets of the results of this assessment by August 2016, before the Parliament's reading of the budget in autumn 2016;

27. Considers it appropriate to maintain the appropriations for the envelope of the expenditure regarding parliamentary assistance for 2017 at same level as for 2016 subject to legally binding indexation applicable under the Staff Regulations;

28. Believes that the current depiction of Members' parliamentary activities on Parliament's website is not accurate and does not reflect the real activities and involvement of Members; suggests that the current use of ranking websites is scrapped while improving the information regarding the activities of individual Members on the official Parliament website; calls for an evaluation of the presentation of explanations of vote and one-minute speeches, in particular, including the option for them to be shown separately from plenary speeches, and for an assessment of the added value of explanations of vote and possible alternatives; expects the relevant Bureau working group dealing with this issue to present its agenda and findings to the Committee on Budgets as soon as it is available;

### ***Members' expenses***

29. Reiterates its call on the Bureau to define more precise rules regarding the accountability of the expenditure authorised under the general expenditure allowance, which could include cost effective measures such as Members publishing their spending records, as already done by a growing number of Members, and could be accompanied by a simplified system for repaying unused funds; reiterates that such measures should not require additional staff for Parliament's administration;

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### ***Building policy***

30. Recalls that the mid-term building strategy, which was adopted by the Bureau in 2010, is currently under revision; regrets that the Bureau has not concluded yet its deliberations on Parliament's mid-term strategy for buildings; invites the Secretary-General to present to the Committee on Budgets the new mid-term strategy on buildings as soon as possible and at the latest by August 2016, before the Parliament's reading of the budget in autumn 2016;

31. Calls on the Bureau to present a long term strategy for Parliament buildings; reiterates that long-term investments, such as Parliament's building projects, need to be handled prudently and transparently; insists on strict cost management, project planning and supervision; reiterates its call for a transparent decision-making process in the field of buildings policy, based on early information, having due regard to Article 203 of the Financial Regulation; believes that a report on the reasons for the delay and the higher costs of the House of European History should feed into the long term building strategy;

32. Calls for the position with regard to Parliament's buildings stock to be faithfully reflected in the budget; calls accordingly for the cost of the KAD building to be clearly set out in Parliament's definitive budget, and for property-related investment to be incorporated into the budget, in future, so as to obviate the need for mopping-up transfers;

33. Is of the opinion that, in the current economic context, no further Parliamentarium projects should be launched without prior consultation with and approval of the Committee on budgets;

34. Proposes therefore to introduce, as of 2018, a specific line for investments in building constructions which would use as a basis for funding in 2018 the funds which are proposed in 2017 for extraordinary expenditure;

35. Considering the extraordinary circumstances in 2017 which require high investment in the security infrastructure, proposes to use any funds not used by the end of 2017 to pay for the construction expenses for the KAD building in order to avoid a maximum of interest rate payments to banks for loans which have to be contracted in order to finance the construction;

36. Calls for more information on the status quo of the project to renovate the PHS building; requests that the a study on the renovation is launched and examined by the Bureau; expects the Bureau to take into consideration the need for healthy and safe working conditions when setting up the renovation timeframe; asks that the Bureau informs the Committee on Budgets on all steps as soon as available; invites, in this context, the Bureau to lay the groundwork for transforming the PHS building into an exemplary state-of-the-art building in terms of energy efficiency and to promptly proceed with the modernization of the building;

37. Invites the Vice Presidents responsible to present to the Committee on Budgets a progress report on the KAD building;

38. Considers that the structural and organisational reforms aimed at achieving greater efficiency, environmental sustainability, and effectiveness should continue through the thorough examination of possible synergies and savings; recalls the substantial savings that could be made by having only one place of work instead of three (Brussels, Strasbourg, Luxembourg); underlines that this process should be lead without endangering Parliament's legislative excellence, its budgetary powers and powers of scrutiny, or the quality of working conditions for Members, assistants, and staff;

### ***Staff-related issues***

39. Welcomes the proposal to reduce its establishment plan in 2017 by 60 posts in line with the agreement reached with the Council on the draft general budget of the European Union for the financial year 2016, approved by the Conciliation Committee under the budgetary procedure on 14 November 2015;

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40. Recalls that the total level of staff in political groups shall be exempted from the 5 % staff reduction target in line with the decisions taken in respect of the financial years 2014, 2015 and 2016;
41. Supports the additional posts required for Irish language translation and interpretation; exempts these additional posts from the reduction target of 5 % in line with the recommendation of the Commission; asks the Secretary-General to consult Irish Members with a view to a possible rationalisation of the use of the Irish language without compromising the guaranteed rights of Members;
42. Backs the introduction of international sign language interpretation for all plenary debates so that they at least are genuinely accessible to all European citizens;
43. Welcomes the progress that has been made regarding translation and interpretation efficiencies; acknowledges the quality and added value of services provided by the interpreters; calls for an early, sustainable agreement between the Secretary-General and the representatives of interpreters combining high quality working conditions and efficient management in order to avoid situations of imbalances in terms of working hours and overall insecurity among interpreters, taking into account social rights; asks the Secretary-General to make further rationalisation proposals such as increased translation and interpretation on demand, particularly concerning the activities of the Intergroups of the European Parliament; considers that the linguistic profiling system in place since October 2014 for committee-stage amendments is an example of efficiencies that can be made and that can be further developed; takes the view that interpretation and translation are core components of a European democracy that is open to all, and accordingly calls for no reform to be allowed that detracts from maximum accessibility to Parliament's activities and documents on as inclusive a basis as possible;
44. Calls on the Bureau to evaluate and, where necessary, to revise rules governing the statute of trainees, including introducing minimum remuneration and harmonising catering-related price offers for all trainees both in the Parliament's administration and in the Members' offices in order to ensure equal treatment and to protect social rights of trainees;
45. Calls on the Bureau to revise the rules governing the reimbursement of the missions' expenses related to travels between the Parliament's working places and incurred by accredited parliamentary assistants in order to align them with the rules applicable to the rest of the staff;
46. Takes the view that a third procedure should be introduced so that a contract between a Member and an assistant can be terminated by mutual consent;

### ***Chauffeur services/mobility***

47. Has reservations about the proposal to internalise the chauffeur service, replacing the external service provider with Parliament's contractual agents, which will correspond to approximately EUR 3,7 million of immediate additional expense; considers that a well organised external contract concluded pursuant to applicable public procurement rules, where the external service provider is clearly obliged to take responsibility for security and background checks as well as for decent working conditions and pay, should be considered as an alternative option; would consider the internalisation only if its costs do not exceed the costs related to the current system, and if it allows decent working conditions and pay for drivers, improved gender balance, and the use of greener cars; asks for detailed information to be provided to the Committee on Budgets before any decision is taken;
48. Asks the Secretary-General to consult with the Belgian authorities with a view to ensuring easy access and overall best use of the new direct train connection between Brussels-Luxembourg train station and Zaventem airport, which could include the acceptance of Members' badges instead of the current *laissez passer* system;

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49. Believes that the car fleet should consist of more cost- and fuel-efficient and secure cars; stresses the fact that preference should be given to the use of minivans and buses, to and from the airport, at scheduled times; calls on the Secretary-General to submit a report on a complete shift to electric locomotion at the end of the decade;

50. Asks the Secretary-General to hold discussions with Parliament's travel agency; encourages the travel agency to intensify comparison of prices; calls on the travel agency to actively seek less expensive tickets when booking and, in general, to offer more competitive prices for Members and all categories of staff while ensuring suitable conditions for ticket exchanges;

**Communication**

51. Requests the results of the ex-post evaluation of the overall strategy and methodology of the 2014 information and communication campaign (evaluation report was expected by the 2nd semester 2015);

52. reiterates its call on the Secretary-General to report to the Committee on Budgets on the evaluation of the 2014 parliamentary election campaign as well as the effectiveness of the Parliament's communication measures dedicated to the general public;

53. Acknowledges the role of Parliament's information offices (EPIOs) in terms of raising awareness on the activities of the Parliament and the Union in general; believes that efficiency measures should be envisaged with regard to Parliament's information offices; considers that, EPIOs should, to the maximum extent possible, be housed in the same building as and share back office services with Commission representations; requests the evaluation of objectives, tasks and performances of the EPIOs, in light of which priorities should be defined;

54. Requests an evaluation of the possibility of closer cooperation with ARTE in Strasbourg in order to establish a European media-hub for training purposes for young journalists;

55. Calls on the Secretary-General to submit a report on the firms and organisations which have been given access to Parliament so that they can hold forums on their activities; calls on the Secretary-General to maintain a balance between the different sectors and different types of organisation given access to Parliament;

**Other issues**

56. Urges the Secretary-General to present a detailed report on the implementation of the administrative parts of the cooperation agreements between the Parliament, the Committee of the Regions and the European Economic and Social Committee and on this basis to devise possible arrangements for further administrative cooperation in areas such as logistics, infrastructure or security;

57. Urges the Secretary-General to provide clarification on the current management of the Parliament's gym and on the current use of Parliament's staff in this context; requests, furthermore, clarification on the pending litigation and on the options that are on the table to ensure the efficient and cost-effective management of the gym in the future;

58. Considers that further savings can be made on expenditure on furniture as it considers that an increase of EUR 3 589 832 for 2016 and a similar increase for 2017 vis à vis the EUR 2 415 168 in 2015, is far from reasonable;

59. Welcomes the more limited and efficient use of trunks (cantines); encourages sharing of the trunks for travelling to Strasbourg;

60. Ask the Secretary-General to fully implement the spirit and the letter of the Financial Regulation with regard to green and economically efficient public procurement by reinforcing Parliament's procurement strategy in this respect;

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61. Encourages the further pursual of the path of energy savings, in particular concerning lightning and heating systems of buildings, as the discussions on the 2016 budget have shown that there is space for improvement;

62. Encourages a greater promotion of healthy and organic food; furthermore, calls therefore on the Bureau to evaluate the possibility of providing healthy food not only in terms of diversification of services but also, above all, in terms of providing fresh fruit and vegetables at more affordable prices;

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63. Adopts the estimates for the financial year 2017;

64. Instructs its President to forward this resolution and the estimates to the Council and the Commission.

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