

Thursday 3 February 2011

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

Agreement on trade in bananas

P7_TA(2011)0034

European Parliament resolution of 3 February 2011 on the conclusion of a Geneva Agreement on Trade in Bananas between the European Union and Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru and Venezuela and of an Agreement on Trade in Bananas between the European Union and the United States

(2012/C 182 E/01)

The European Parliament,

- having regard to its resolutions of 1 December 2005 on preparations for the sixth Ministerial Conference of the World Trade Organisation in Hong Kong ⁽¹⁾, of 4 April 2006 on the assessment of the Doha Round following the WTO Ministerial Conference in Hong Kong ⁽²⁾, of 27 April 2006 on a stronger partnership between the European Union and Latin America ⁽³⁾, of 7 September 2006 on the suspension of negotiations on the Doha Development Agenda (DDA) ⁽⁴⁾, of 12 October 2006 on economic and trade relations between the EU and Mercosur with a view to the conclusion of an Interregional Association Agreement ⁽⁵⁾, of 23 May 2007 on Economic Partnership Agreements ⁽⁶⁾, of 12 December 2007 on Economic Partnership Agreements ⁽⁷⁾, of 24 April 2008 on the Fifth Latin America and Caribbean-European Union Summit in Lima ⁽⁸⁾ and on Towards a reform of the World Trade Organisation ⁽⁹⁾, of 9 October 2008 on the suspension of the WTO Doha Round and the future of the Doha Development Agenda ⁽¹⁰⁾, of 25 March 2009 on the Economic Partnership Agreement between the Cariforum States, of the one part, and the European Community and its Member States, of the other part ⁽¹¹⁾, of its position of 25 March 2009 on the proposal for a Council Decision on the conclusion of the Economic Partnership Agreement between the Cariforum States, of the one part, and the European Community and its Member States, of the other part ⁽¹²⁾, of 5 May 2010 on the EU strategy for relations with Latin America ⁽¹³⁾ and of 21 October 2010 on the European Union's trade relations with Latin America ⁽¹⁴⁾,
- having regard to the 'Geneva Agreement on Trade in Bananas' between the European Union and Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru and Venezuela and of the Agreement on Trade in Bananas between the European Union and the United States (hereinafter 'the Agreements on Trade in Bananas'),

⁽¹⁾ OJ C 285 E, 22.11.2006, p. 126.

⁽²⁾ OJ C 293 E, 2.12.2006, p. 155.

⁽³⁾ OJ C 296 E, 6.12.2006, p. 123.

⁽⁴⁾ OJ C 305 E, 14.12.2006, p. 244.

⁽⁵⁾ OJ C 308 E, 16.12.2006, p. 182.

⁽⁶⁾ OJ C 102 E, 24.4.2008, p. 301.

⁽⁷⁾ OJ C 323 E, 18.12.2008, p. 361.

⁽⁸⁾ OJ C 259 E, 29.10.2009, p. 64.

⁽⁹⁾ OJ C 259 E, 29.10.2009, p. 77.

⁽¹⁰⁾ OJ C 9 E, 15.1.2010, p. 31.

⁽¹¹⁾ OJ C 117 E, 6.5.2010, p. 101.

⁽¹²⁾ OJ C 117 E, 6.5.2010, p. 256.

⁽¹³⁾ Texts adopted, P7_TA(2010)0141.

⁽¹⁴⁾ Texts adopted, P7_TA(2010)0387.

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- having regard to the Marrakesh Agreement establishing the World Trade Organisation,
 - having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific (ACP) Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the Cotonou Agreement),
 - having regard to the Economic Partnership Agreement between the Cariforum States, of the one part, and the European Community and its Member States, of the other part,
 - having regard to the conclusion of the negotiations on an Association Agreement between the EU and Central America,
 - having regard to the conclusion of the negotiations between the EU and Colombia and Peru on a Multi-Party Trade Agreement,
 - having regard to the WTO Ministerial Conference declarations adopted in Doha on 14 November 2001 and in Hong Kong on 18 December 2005 and to the Chairman's Summary adopted in Geneva on 2 December 2009,
 - having regard to the waiver from the application of Article I of the GATT granted in Doha in November 2001 (the 'Doha waiver') in respect of the Cotonou Agreement trade preferences, with a duration commensurate with those trade preferences, i.e. until 31 December 2007,
 - having regard to the US-EC Understanding on Bananas of 11 April 2001,
 - having regard to the report of 22 December 2009 by the Director-General of the World Trade Organisation (WTO) on the Use of His Good Offices (pursuant to Article 3.12 of the Dispute Settlement Understanding) in the disputes EC – Regime for the importation of bananas (DS361) initiated by Colombia and EC – Regime for the importation of bananas (DS364) initiated by Panama,
 - having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas,
 - having regard to the declaration issued by the ACP-EU Joint Parliamentary Assembly on 1 April 2010 regarding the EU-Latin America bananas agreement and its impact on ACP and EU banana producers,
 - having regard to the questions of 24 January 2011 to the Council (O-0012/2011 – B7-0007/2011) and the Commission (O-0013/2011 – B7-0008/2011) on the conclusion of a Geneva Agreement on Trade in Bananas,
 - having regard to Rules 115(5) and 110(2) of its Rules of Procedure,
- A. whereas the Agreements on Trade in Bananas settle the longest ever dispute between the EU and Latin American Most-Favoured Nation (MFN) suppliers of bananas; whereas they also settle a particularly acrimonious incidental dispute between the USA and the EU and rule out the possibility of damaging sanctions being imposed by the USA; whereas they also settle all Latin American MFN suppliers' claims relating to the last three enlargements of the EU,

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- B. whereas until 1 July 1993 each EU Member State maintained its own banana import regime, with some Member States having special arrangements favouring countries with which they have strong historical ties,
- C. whereas following the adoption of Council Regulation (EEC) No 404/93 several Latin American WTO member countries which supply bananas to the EU on an MFN basis and the USA initiated WTO dispute-settlement proceedings against the EU with respect to the disparities in the treatment of bananas exported to the European Communities' market by different suppliers,
- D. whereas certain aspects of the European Communities' banana import regime were found to be inconsistent with WTO law,
- E. whereas a number of proposals by the European Communities (EC) to modify their regime to bring it into line with the recommendations and rulings of the Dispute Settlement Body were rejected by the countries which had brought the complaints,
- F. whereas the new EC regime on bananas introduced on 1 January 2006 was still found to be inconsistent with the EU's WTO obligations,
- G. whereas only some 20 % of world banana production is exported, as the majority is intended for domestic markets,
- H. whereas there are wide variations in terms of productivity and level of competitiveness in banana production between and within countries; whereas the Latin American countries and the Philippines are the most competitive producers and the major exporters,
- I. whereas the EU has concluded the negotiations with Colombia and Peru on a Multi-Party Trade Agreement, and those with six Central American countries on an Association Agreement,
- J. whereas the EU's domestic support programme POSEI ('Programme of Options Specifically Relating to Remoteness and Insularity') assists producers in the outermost regions of the EU,
- K. whereas bananas are the world's fourth biggest agricultural export, and whereas the EU is the largest (net) banana importer in the world, importing almost 5 million tonnes in 2007,
- L. whereas banana production has a major impact on local communities, not only in economic terms, but also as regards the environment, migration and labour standards,
- M. whereas multinationals operating in Latin America control over 80 % of the global market,
- N. whereas the EU's tariff-rate quota system has created the conditions which enable the ACP countries to export substantial quantities of bananas to the EU and has also limited the impact of trade agreements on European producers and protected a large number of jobs linked to banana production,
- O. whereas the agreement will mean significant tariff cuts (35 % between 2010 and 2017) for non-ACP imports of bananas; whereas, as a result, ACP and EU producers will certainly have to adjust to the new reality of the international market,

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1. Notes the Agreements on Trade in Bananas and welcomes the ending of one of the most technically complex, politically sensitive and commercially significant legal disputes ever brought before the WTO;
2. Considers that the deal reached is a solution, but that it could not fully reconcile the legitimate interests of all the parties; calls, therefore, on the Commission to submit at the earliest opportunity an assessment of the impact of the Agreements on Trade in Bananas on banana-producing developing countries and Europe's outermost regions over the period to 2020;
3. Welcomes the fact that the Agreements on Trade in Bananas will constitute the EU's final market-access commitments for bananas and will be included in the final results of the next round of multilateral market-access negotiations for agricultural products to be successfully concluded under WTO auspices (Doha Round);
4. Stresses that the deal reached represents a step forward in the Doha Round talks, but only a limited one, given that the difficulties encountered go well beyond the simple issue of bananas;
5. Stresses that, upon certification of the Geneva Agreement on Trade in Bananas, all pending disputes and all claims filed before 15 December 2009 by any Latin American MFN banana supplier with respect to the EU trading regime for bananas will be deemed to have been settled;
6. Notes that the figures for 2010 show that banana prices for EU consumers remained stable or increased only slightly;
7. Stresses that the EU will gradually cut its import tariff on bananas from Latin America from EUR 176/t to EUR 114 by 2017, thus endangering small and medium-sized producers in the ACP, the EU and its outermost regions (which are already amongst those in Europe with the highest unemployment rates);
8. Stresses that the Agreements on Trade in Bananas will make it possible to decouple the banana sector from the Doha Round negotiations on 'tropical products'; stresses that whilst 'tropical products' will be subject to deeper tariff cuts, tariff cuts on 'preference erosion products' of interest to ACP countries will be implemented over a relatively longer period than will be the case under the general formula applied in the negotiations; stresses, nevertheless, that the Agreements on Trade in Bananas are not likely to pave the way for an agreement acceptable to the ACP countries on tropical products and the erosion of their preferential treatment, since the proposals formulated at the time of the Agreements on Trade in Bananas have already been rejected by some large emerging economies, as demonstrated by the reactions of India and Pakistan at the meeting of the WTO General Council in December 2009;
9. Points out that the EU has traditionally granted special tariff preferences to bananas from ACP countries; recalls that some WTO members have repeatedly challenged the compatibility of this preferential treatment with WTO rules; stresses that a series of legal rulings by WTO dispute panels, the Appellate Body and special arbitrators have called for a change to the existing regime;
10. Views with regret the fact that the original regional approach could not be retained in the negotiations on the Multi-Party Agreement with the Andean countries, which left Ecuador in the position of not benefiting from the same tariffs as Colombia and Peru;
11. Emphasises that, since 2008, bananas from ACP countries have entered the EU duty- and quota-free, thanks to the current agreements;

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12. Stresses that the parallel discussions with the ACP countries produced an agreement to the effect that, in addition to regular EU aid, the main ACP banana-exporting countries will receive extra support through a new programme – the so-called ‘Banana Accompanying Measures’ (BAM); stresses that the BAM financing arrangement could be insufficient in terms of resources and too short in terms of its implementing period to provide effective help to ACP banana producers in adapting to the effects of the changes in the EU’s import regime; asks the Commission to indicate clearly that the financing arrangement consists of money additional to current development cooperation funds and that it is not just a contribution to national budgets which cannot be earmarked for specific programmes, such as education and diversification; asks the Commission to present a new multiannual financing arrangement;
13. Calls on the Commission to conduct an assessment of the BAM 18 months before the programme’s expiry, including recommendations on any further measures to be taken and the nature thereof;
14. Firmly rejects any attempts to finance the programme for ACP banana-producing countries by redeploying appropriations from the budget lines for development cooperation;
15. Points out that it will be important to allocate the resources from the BAM to countries on the basis of their expected losses in terms of banana exports and production and their level of development, weighted indicators and the volume of their trade in bananas with the EU; stresses the need to strike the right balance between three types of non-mutually exclusive measure that can be taken: those to improve the efficiency of existing production, those to increase the value added locally, and those to help countries diversify away from banana production;
16. Calls on the EU and the ACP States to bring forward measures to help heavily banana-dependent States to diversify their economies, including in the form of more Aid for Trade;
17. Emphasises that bananas are one of the main agricultural crops of some outermost regions of the Union, in particular the French overseas departments of Guadeloupe and Martinique, the Azores, Madeira and the Canary Islands;
18. Recommends that due account should be taken of the socioeconomic importance of the banana sector to the outermost regions of the EU and the contribution it makes to achieving social and economic cohesion, on account of the income and employment which it generates, the economic activities to which it gives rise, and the effect which it has of maintaining an environmental and landscape balance which encourages the development of tourism;
19. Notes that the POSEI support programme was adopted in 2006 in the light of the agreed WTO European market-access tariff of EUR 176/tonne, which means that the tariff laid down in the WTO Agreements on Trade in Bananas has not yet been taken into account in the POSEI budget; encourages the relevant EU authorities to adjust the support package for domestic EU producers included in the POSEI budget and to take other steps in order to ensure that, in the face of the trend towards the liberalisation of the global trade in bananas, domestic EU producers are able to remain on the market and pursue their traditional activities;
20. Considers that producers from ACP countries and from the EU and its outermost regions could be significantly affected by the Agreements on Trade in Bananas; calls on the Commission therefore to increase support for them and extend that support to 2020 if necessary;

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21. Notes that banana production in the EU's outermost regions (ORs) meets higher social and environmental standards than is the case in most Latin American countries; draws attention to the fact that in the ORs the use of active agents, such as pesticides, is 20 to 40 times lower than in South and Central American countries, whilst in the phytosanitary field most of the active agents banned under European food safety rules are widely used throughout South and Central American plantations;
22. Notes that, in its most recent bilateral agreements involving banana producers (the Multi-Party Trade Agreement with Colombia and Peru and the Association Agreement with Central America), the EU has agreed progressively to reduce its import tariff on bananas originating in those countries to EUR 75/tonne by 1 January 2020;
23. Notes that the EUR39/tonne preferential margin ultimately granted by the Agreements on Trade in Bananas will significantly improve the competitiveness on the EU market vis-à-vis other exporters of the eight Andean and Central American countries concerned and of transnational companies operating in that region; stresses that from 2020 onwards the benefits for those countries already exporting bananas to the EU will be conspicuous, as both their exports and the price they are paid for their bananas will increase;
24. Stresses that other MFN exporters to the EU (the most important, by far, being Ecuador), ACP countries and least-developed countries could experience a decline in their relative competitiveness on the EU market with respect to the signatories of the Agreements on Trade in Bananas;
25. Considers that access to the EU market should be granted only to producers who respect the ILO's decent labour agenda and human rights and observe environmental rules;
26. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru and Venezuela, the United States and the ACP countries.

Situation in Tunisia

P7_TA(2011)0038

European Parliament resolution of 3 February 2011 on the situation in Tunisia

(2012/C 182 E/02)

The European Parliament,

- having regard to its previous resolutions on the human rights situation in Tunisia, particularly those of 29 September 2005 ⁽¹⁾, 15 December 2005 ⁽²⁾ and 15 June 2006 ⁽³⁾,
- having regard to the Euro-Mediterranean Agreement of March 1998 establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part,
- having regard to Union policy on human rights and democratisation in third countries, as adopted by the Council in December 2005,
- having regard to its resolution on 14 February 2006 ⁽⁴⁾ on the human rights and democracy clause in European Union agreements,

⁽¹⁾ OJ C 227 E, 21.9.2006, p. 618.

⁽²⁾ OJ C 286 E, 23.11.2006, p. 495.

⁽³⁾ OJ C 300 E, 9.12.2006, p. 480.

⁽⁴⁾ OJ C 290 E, 29.11.2006, p. 107.