

Thursday 15 March 2007

- (ag) take into account the importance of guaranteeing universal access to essential services and of national rights to regulate, and thus of proceeding cautiously in the negotiations on the liberalisation of trade in services, in conformity with Article V of GATS, in order to ensure real improvements regarding the liberalisation commitments thus far agreed and applied and the need for a clear and predictable regulatory framework; abstain from making offers or accepting requests in the areas of public health and education;
 - (ah) take into account the ever-increasing potential of the tourism sector for investment and economic development in the Central American countries, and the importance of promoting tourism between the two regions;
 - (ai) include as a general provision the need for both the EU and Central America to seek, as a matter of principle, the eventual convergence of the various agreements in force or under negotiation between the two regions;
 - (aj) take into account the fact that the dispute settlement procedures provided for in comparable existing agreements concluded by the Community with third countries are not effectively utilised; therefore request the Commission to put forward new proposals with a view to devising a more effective dispute settlement instrument to issue rulings on disputes arising in any of the individual sectors to be covered by the FTA;
 - (ak) ensure that the Commission provides Parliament with exhaustive (and if necessary confidential) information on the draft negotiating guidelines as well as on the negotiating guidelines finally adopted;
2. Instructs its President to forward this recommendation to the Council and, for information, to the Commission and the governments and parliaments of the Member States and the countries of Central America.

P6_TA(2007)0080

Negotiation of an EU-Andean Community Association Agreement

European Parliament recommendation of 15 March 2007 to the Council on the negotiating mandate for an association agreement between the European Union and its Member States, of the one part, and the Andean Community and its member countries, of the other part (2006/2221(INI))

The European Parliament,

- having regard to the proposal for a recommendation to the Council by Luis Yáñez-Barnuevo on behalf of the PSE Group on the negotiating guidelines for an association agreement between the European Union and its Member States of the one part, and the Andean Community and its member countries, of the other part (B6-0374/2006),
- having regard to Paragraph 31 of the Vienna Declaration, which notes the decision taken by the European Union and the Andean Community (CAN) at the Fourth European Union — Latin America and Caribbean Summit, held in Vienna on 12 May 2006, to initiate in 2006 a process leading to the negotiation of an association agreement, including a political dialogue, cooperation programmes and a trade agreement,
- having regard to Title V of the Treaty on European Union,
- having regard to its resolution of 15 November 2001 on a global partnership and a common strategy for relations between the European Union and Latin America⁽¹⁾,

⁽¹⁾ OJ C 140 E, 13.6.2002, p. 569.

Thursday 15 March 2007

- having regard to its position of 31 March 2004 on the signature of a Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Andean Community and its Member States, the Republics of Bolivia, Colombia, Ecuador, Peru and the Bolivarian Republic of Venezuela, of the other part ⁽¹⁾,
 - having regard to its resolution of 27 April 2006 on a stronger partnership between the European Union and Latin America ⁽²⁾,
 - having regard to the Commission recommendation to open negotiations with a view to concluding an association agreement with the Andean Community and its member countries (SEC(2006)1625),
 - having regard to Rules 114(3) and 83(5) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on International Trade (A6-0025/2007),
- A. whereas respect for democracy, the rule of law and the full enjoyment of human rights by all individuals, along with full respect for the civil and political rights of the citizens of both regions, are basic conditions for the development of the association between the parties,
- B. whereas the guarantee that all citizens, especially the less privileged among the indigenous peoples, will be able to fully enjoy their fundamental rights, and their more active social and political participation, are key elements of the agreement,
- C. whereas the CAN has been endeavouring to conclude an association agreement with the European Union and shown its willingness to do so despite the internal difficulties with which it has had to contend,
- D. whereas the negotiating guidelines for the future agreement must make perfectly clear that the intention is to conclude a general association agreement between the two parties, including political dialogue as befits a genuine association, cooperation programmes and the creation of a free trade area (FTA), which would benefit all the citizens of both regions,
- E. whereas on 13 June 2006 the Presidents of Bolivia, Colombia, Ecuador and Peru met in Quito, responded positively to the requirements laid down in the Vienna Declaration and agreed to consolidate their desire for integration and push forward the process leading to the start of negotiations on the Association Agreement between the CAN and the EU,
- F. whereas the establishment of the transatlantic Euro-Latin American Parliamentary Assembly (EuroLat) has done a great deal to enhance democratic legitimacy and the political dimension of the EU's relations with Latin America and with the CAN in particular, and whereas the Assembly will act as a permanent forum for political dialogue between the two regions,
- G. whereas the negotiating guidelines for the future agreement must not overlook the serious economic, political and social deficit that exists in most of the Andean countries, nor ignore the differences in development between the two regions or the nature of economic relations within the CAN itself,
- H. whereas it must be ensured that the EU's multi-annual financial planning instruments are compatible with the action to attain the Millennium Development Goals (MDGs) in the Andean region,

⁽¹⁾ OJ C 103 E, 29.4.2004, p. 543.

⁽²⁾ OJ C 296 E, 6.12.2006, p. 123.

Thursday 15 March 2007

1. Addresses the following recommendations to the Council:
 - (a) expressly include in the negotiating mandate the legal basis on which the new association agreement is to be negotiated, namely Article 310 of the EC Treaty in conjunction with the first sentence of the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3);
 - (b) specify in the negotiating mandate that some of the aims of the association agreement between the EU and the CAN should be the establishment in time of an advanced free trade area, the pursuit of political dialogue and cooperation and, in addition, the promotion of sustainable human development, social cohesion, consolidation of democracy and the rule of law and full respect for human, civil, political, economic, and social rights, without neglecting the cultural and environmental dimension;
 - (c) include in the negotiating guidelines clear signals of support to the CAN members in their efforts to deepen all aspects of regional integration, fostering an agreement between regional blocs which would certainly not exclude the differentiated treatment which the development of the integration process within the CAN requires;
 - (d) clearly identify in the guidelines the central issues on which the agenda and the political dialogue will focus, including the updating of objectives and focuses on issues such as governability and democratic stabilisation; combating corruption, impunity, and terrorism, focusing in particular on narcoterrorism and its links to organised crime; peacekeeping and security, and conflict management; include issues such as reducing poverty, supporting social cohesion, migration and human exchanges; and open the way to concrete action on issues such as the adoption of common positions in international forums and the United Nations;
 - (e) provide for the appointment of members of the EU-CAN Joint Parliamentary Committee, to be set up under the new association agreement, from amongst Members of the European Parliament and the Andean Parliament who also form part of Eurolat, as a practical expression of support for the process of regional integration in the Andean region and for the EU-Latin America and Caribbean Bi-regional Strategic Association;
 - (f) prioritise actions by the EU, particularly in the fields of education and health,
 - (g) promote structured participation by social organisations and civil society in the association agreement and its negotiation process, defining mechanisms for dialogue, ensuring transparency and appropriate access to information, proposing the organisation of periodic conferences with representatives of social organisations and civil society both in the EU and the CAN, granting such representatives observer status in interministerial meetings and facilitating their active participation in the relevant sectoral forums, committees and subcommittees;
 - (h) include in the negotiating mandate, in particular, the EU-CAN consensus on shared responsibility for fighting drug trafficking, stepping up the political dialogue specifically on combating drugs and the social, economic and environmental implications of implementing the measures proposed, and, in particular, those concerned with promoting alternative employment and crops and market access for them, and specific control mechanisms designed to contain and gradually reduce the related crimes of money laundering and arms trafficking;
 - (i) include in the future association agreement the 'democracy clause' and other social clauses (in connection with the labour rights incorporated in the ILO conventions, with particular reference to Convention 169 concerning Indigenous and Tribal Peoples in independent countries, the protection of decent working conditions, non-discrimination, equality of work between men and women and the eradication of child labour), and environmental clauses; refer explicitly to the specific mechanisms which ensure that they are applied and in particular ensure the continuity and improvement of the system of labour and environmental incentives provided for in the scheme of generalised preferences⁽¹⁾ (SGP), including SGP Plus, with provision in particular for an annual report to the European Parliament on the Commission's follow-up in this respect;

⁽¹⁾ Council Regulation (EC) No 980/2005 of 27 June 2005 applying a scheme of generalised tariff preferences (OJ L 169, 30.6.2005, p. 1).

Thursday 15 March 2007

- j) take account in the negotiating guidelines' provisions on development cooperation under the new agreement, designed to achieve the MDGs, of the specific features of the Andean region, and start from the premiss that the training of human resources is a priority for overcoming poverty in the region, so as to give special attention to education, research, science and technology, culture, not least with a view to intensifying exchanges between those areas, protection of public health and protection of ecosystems and biodiversity;
- (k) stress the need to ensure coherence of development policies in line with the principle enshrined in Article 178 of the EC Treaty, the joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy, entitled 'The European consensus on development' ⁽¹⁾, and the Council conclusions on integrating development concerns in Council decision-making ⁽²⁾;
- (l) stress the need for the guidelines to take full account of the priority objective of eradicating poverty, inequality, social exclusion and all forms of discrimination, particularly discrimination on grounds of gender and ethnic origin, and emphasise the need to have a general integrated development strategy and policies that will guarantee equal work opportunities and better living and working conditions for everyone, including the economic and cultural rights of indigenous peoples, as well as high priority for greater access to education and health;
- (m) ask that internal mechanisms and joint measures within the framework of the association be strengthened so that the development strategies can reach their full potential, stimulating co-development projects, particularly with immigrant populations resident in the EU;
- (n) point out that foreign investment is an essential element for the economic development of both regions and stress that European undertakings with investments in the CAN should be expected to apply the same standards as regards working conditions and investment as are observed in the EU, and that the legal security of investors should be guaranteed on the basis of private international law and with full respect for the principle of national sovereignty over natural resources;
- (o) include in the future agreement, with regard to migration, provisions designed to reinforce the fundamental, labour and civil rights of legal migrants, particularly with regard to their social security, wherever they may be, and establish mechanisms to facilitate sending remittances, making such operations cheaper and more transparent and secure, at the same time tackling the basic causes of migration;
- (p) consider the objectives of support for Andean regional integration — in particular, integration of physical, transport, communications and energy infrastructures — into the objectives of the next mandate for European Investment Bank action in Latin America and Asia, so that EIB action would effectively complement the new agreement;
- (q) take account in the negotiating guidelines of the increase in EU support for Andean integration and the reform and reinforcement of its legislative framework and institutions to make them more efficient, representative and legitimate, in particular with regard to removing obstacles to trade, free movement of people, common policies and harmonisation of laws, and with reference to the European experience with the structural, regional and cohesion funds;
- (r) state in the negotiating mandate that the socio-environmental impact study should be submitted at the start of negotiations and included as a reference document for the negotiating agenda;
- (s) conclude a comprehensive and balanced Association Agreement with the CAN, based on three pillars: a political and institutional chapter reinforcing democratic dialogue and political cooperation, a cooperation chapter promoting sustainable economic and social development, and a trade chapter taking full account of the specific development objectives of the countries of the CAN;

⁽¹⁾ OJ C 46, 24.2.2006, p. 1.

⁽²⁾ Conclusions of the General Affairs and External Relations Council, 16 and 17 October 2006, Document No 13735/06.

Thursday 15 March 2007

- (t) provide in the negotiating guidelines for gradual reciprocal trade liberalisation under conditions of justice and mutual benefit based on complementarity and solidarity, so as to ensure that the future agreement reduces existing imbalances between the EU and the CAN, and between the CAN countries; provide, therefore, for special, variable and flexible treatment, following an agreed timetable, depending on commitments on regional integration and improvements in the competitiveness achieved by the Andean countries, proceeding from the premise that transformation of the production sector and the competitiveness of the Andean economies need to be strongly supported by means of development cooperation measures and through technology transfer, the inclusion of requirements for home-country content in rules of origin, and the establishment of cooperation and technical assistance programmes, all of which should go hand in hand both with a stable legal environment which guarantees the security of investments and the parties' economic and trade relations;
- (u) regard the negotiation of an EU-CAN FTA as vital for the reinforcement of the EU's role as Latin America's trade and investment partner, and for strengthening intercontinental integration, which negotiation must be completed in a context marked by the expansion of US bilateral trade agreements and the US-led proposal for an FTA of the Americas;
- (v) take into account the fact that the conclusion of an Association Agreement with the CAN, establishing a Euro-Latin America Global Interregional Association Area, is a priority strategic objective for the EU's external relations in an international context characterised by increased interdependence, economic growth, the emergence of new economic powers and a series of global challenges which transcend national borders, such as those relating to security, world economic governance, the environment and poverty reduction;
- (w) commit to the establishment of a Euro-Latin America Global Interregional Association Area in full compliance with the new WTO transparency mechanism and the rights and obligations arising out of the WTO, particularly Article XXIV of the General Agreement on Tariffs and Trade and Article V of the General Agreement on Trade in Services (GATS), thus contributing to the strengthening of the multi-lateral trading system;
- (x) as a demonstration of tangible, decisive support for the Andean regional integration process, refrain from including any explicit or tacit subordinating conditions of any kind, making the conclusion of the future EU-CAN agreement conditional on prior completion of the WTO round negotiations, without prejudice to incorporating in the agreement, in due course, those results of the Doha working programme which are compatible with the ultimate aim of the EU-ANC association;
- (y) negotiate a single and indivisible trade agreement which goes beyond the negotiating parties' present and future WTO obligations, and establish over a transition period compatible with WTO requirements a Euro-Latin America Global Interregional Association Area which, without excluding any sector, takes account, in the least restrictive fashion possible, of the development dimension and the specific sensitivity of certain products;
- (z) pay specific attention to the EU-CAN joint assessment on the regional economic integration of the CAN, which points to a number of important concrete operational conclusions, with a view to strengthening, developing and completing the CAN customs union and the CAN common internal market, both of which are essential to the negotiation and completion of an effective FTA between the two regions;
- (aa) pay specific attention, as an important step for the fruitful development of the negotiations, to the initiatives planned by the CAN with a view to deepening regional economic integration and, in particular, those in respect of the tariffs applied to products originating in the EU, the simplification and harmonisation of customs regimes and the areas of services and cross-border road transport;
- (ab) offer meaningful new opportunities for market access in agriculture, which is crucial for the CAN's development, but bear in mind that the degree of the EU's flexibility in the agricultural sector should also depend on the progress made in other areas, such as access to the market in non-agricultural products and in services, as well as progress on agricultural issues other than market access;

Thursday 15 March 2007

- (ac) take into account the importance of guaranteeing universal access to essential services and of national rights to regulate, and therefore proceed cautiously in the negotiations on the liberalisation of trade in services, in conformity with Article V of GATS in order to achieve real improvements regarding the liberalisation commitments thus far agreed and applied and the need for a clear and predictable regulatory framework; abstain from making offers or accepting requests in the areas of public health and education;
 - (ad) ask the Commission, given that the dispute settlement mechanisms included in similar trade agreements already concluded by the Community with third countries are not being effectively utilised, to propose new ideas to develop a more effective bilateral dispute settlement instrument facilitating the resolution of disagreements arising in any of the areas covered by the FTA;
 - (ae) carefully examine, in order to prevent the increasing overlap of multiple bilateral, regional and multi-lateral liberalisation commitments and sets of rules in Latin America from resulting in unintended obstacles for trade and investment flows, the need for both the EU and Latin America to seek, as a matter of principle, the possible convergence of the various agreements in force or under negotiation between the two regions;
 - (af) provide in the negotiation guidelines for promotion of a system to help set up small and medium-sized enterprises, these being a key factor for economic development and in creating jobs and social well-being; with the aim of tackling unemployment, enable small and medium-sized enterprises to develop using soft loans, and devise business support programmes under the heading of innovation;
 - (ag) ensure that the Commission provides Parliament with exhaustive information, on a confidential basis if necessary, both on the draft negotiating guidelines and on the negotiating guidelines that are finally adopted;
2. Instructs its President to forward this Recommendation to the Council, and to the Commission for information, and to the governments and parliaments of the Member States of the European Union and of the Andean Community.
-

P6_TA(2007)0081

Missing persons in Cyprus

European Parliament resolution of 15 March 2007 on missing persons in Cyprus

The European Parliament,

- having regard to its resolution of 6 April 1995⁽¹⁾ on the problem of missing persons in Cyprus,
- having regard to the relevant resolutions of the United Nations Security Council and the General Assembly on Cyprus and the international initiatives taken to investigate the fate of missing persons in Cyprus,
- having regard to the judgment of the European Court of Human Rights (ECHR) of 10 May 2001⁽²⁾ concerning missing persons in Cyprus,
- having regard to Rule 103(2) of its Rules of Procedure,

⁽¹⁾ OJ C 109, 1.5.1995, p. 166.

⁽²⁾ *Cyprus v Turkey* [GC], no. 25781/94, ECHR 2001-IV.