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**EUROPEAN PARLIAMENT**

**2017-2018 SESSION**

Sittings of 5 to 8 February 2018

*The Minutes of this session have been published in OJ C 254, 19.7.2018.*

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### 1 Resolutions, recommendations and opinions

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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.)

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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

2017-2018 SESSION

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TEXTS ADOPTED
I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

P8_TA(2018)0025

European Central Bank Annual Report for 2016


(2018/C 463/01)

The European Parliament,

— having regard to the European Central Bank Annual Report for 2016,

— having regard to Article 284(3) of the Treaty on the Functioning of the European Union (TFEU),

— having regard to the Statute of the European System of Central Banks and of the European Central Bank (ECB), in particular Articles 3 and 15 thereof,

— having regard to Article 3 of the Treaty on European Union (TEU),

— having regard to the report of the High-Level Group on Own Resources (Monti report),

— having regard to the macroeconomic imbalance procedure (MIP),

— having regard to the ECB Economic Bulletin article entitled ‘MFI lending rates: pass-through in the time of non-standard monetary policy’ (Issue 1/2017),

— having regard to the 2017 European Economic and Social Committee report on European industry and monetary policy,

— having regard to the Transparency International report entitled ‘Two sides of the same coin? Independence and accountability of the European Central Bank’,

— having regard to the ECB’s explainer page entitled ‘What is money?’,

— having regard to the ECB’s Emergency Liquidity Assistance (ELA) agreement published on 19 June 2017,

— having regard to Commission recommendation 2010/191/EU of 22 March 2010 on the scope and effects of legal tender of euro banknotes and coins (1);

(1) OJ L 83, 30.3.2010, p. 70.
— having regard to Article 11 of Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro (1);
— having regard to Article 128(1) of the TFEU, on the legal tender character of the euro;
— having regard to the speech of 6 April 2017 by the President of the ECB,
— having regard to Article 127(5) of the TFEU,
— having regard to Article 127(2) of the TFEU,
— having regard to the ECB’s feedback on the input provided by the European Parliament as part of its resolution on the ECB Annual Report for 2015 (2),
— having regard to Rule 132(1) of its Rules of Procedure,
— having regard to the report of the Committee on Economic and Monetary Affairs (A8-0383/2017),

A. whereas at its meeting of 9 and 10 March 2016, the ECB Governing Council adopted further measures to achieve the primary objective of price stability and the secondary objective of supporting the economy through monetary policy, by: 1) a reduction in its key interest rates and a lower deposit facility rate of - 0.4 %; 2) an increase in monthly purchases under the asset purchase programme (APP) to EUR 80 billion; 3) the inclusion of a new corporate sector purchase programme (CSPP) in the APP for purchasing investment-grade euro-denominated bonds issued by non-bank corporations established in the euro area; and 4) a new series of targeted longer-term refinancing operations (TLTRO) with a maturity of four years;

B. whereas at its meeting of 7 and 8 December 2016, the ECB Governing Council decided to extend the horizon of the APP at a lowered monthly pace (from EUR 80 billion to EUR 60 billion), from April 2017 to December 2017, or beyond if necessary, and in any case until the Governing Council sees a sustained adjustment in the path of inflation consistent with its inflation aim;

C. whereas the members of the ECB Executive Board have consistently emphasised the importance of implementing productivity-enhancing reforms in the euro area, as well as growth-friendly fiscal policies, within the framework of the Stability and Growth Pact;

D. whereas, according to the Eurosystem macroeconomic projection of September 2017, annual inflation in the euro area as measured by the Harmonised Index of Consumer Prices (HICP) is expected to be 1.5 % in 2017, 1.2 % in 2018 and 1.5 % in 2019;

E. whereas the primary objective of the European System of Central Banks (ESCB) is to maintain price stability, defined by the ECB’s Governing Council as a year-on-year increase in HICP for the euro area of below but close to 2 % over the medium term; whereas the ECB’s forecasts have been significantly below its medium-term inflation target in each of the four years since 2013, and the ECB now forecasts that inflation will not reach the target level before 2020;

F. whereas the ECB considers that the weak inflation dynamic is the result of, among other factors, subdued wage growth and low energy prices;

G. whereas Article 127(5) of the TFEU requires the ESCB to help maintain financial stability;

H. whereas in 2016 the ECB’s net profit stood at EUR 1.19 billion compared with EUR 1.08 billion in 2015;

I. whereas higher net interest income earned on securities held for monetary policy purposes, including the APP and US dollar portfolios, is the main contributor to this net profit;

(2) https://www.ecb.europa.eu/pub/pdf/other/20170410_feedback_on_the_input_provided_by_the_european_parliament.en.pdf?384c7fc03ceda115fcb9aa7cf378c07
J. whereas growth and unemployment rates remain geographically uneven to a significant degree, causing dangerous fragility for the economy and endangering sound development;

K. whereas Article 123 TFEU and Article 21 of the Statute of the European System of Central Banks and of the European Central Bank prohibit the monetary financing of governments;

L. whereas a growing number of FinTech firms have a significant potential in terms of the widening of financial inclusion in the euro area, also increasing the need for supervision and monitoring on the micro- and macro-prudential levels;

**General overview**

1. Stresses that in accordance with Article 7 of the ECB Statute, neither the ECB, nor a national central bank, nor any member of their decision-making bodies shall seek or take instructions from Community institutions or bodies, from any government of a Member State or from any other body; underlines, therefore, the independence of the ECB in its role as the euro area’s monetary authority, as laid down in the Treaty; stresses, however, the need for more accountability and transparency, proportionate to its level of independence;

2. Acknowledges as well the federal nature of the ECB, which rules out national vetoes and governmental interference, enabling it to act decisively in various matters such as, for instance, contributing to addressing the crisis;

3. Notes the contribution of the accommodative monetary policy pursued by the ECB, including its low interest rates and assets purchase programme, in the period 2012-2016, to the cyclical economic recovery and employment creation, also by preventing deflation, preserving favourable financing conditions for companies and households, and maintaining financial stability and the proper functioning of the payment systems; is, however, concerned at the consequences of the unconventional monetary policy measures for individual savers and the financial equilibrium of pension and insurance schemes as well as the build-up of asset bubbles, which should be carefully monitored by the ECB and minimised;

4. Is concerned that euro area banks did not use the advantageous environment created by the ECB to strengthen their capital bases but rather, according to the Bank for International Settlements, to pay substantial dividends sometimes exceeding the level of retained earnings;

5. Remains concerned at the still significant levels of non-marketable assets and asset-backed securities put forward as collateral to the Eurosystem in the framework of its refinancing operations; reiterates its request to the ECB to provide information on which central banks have accepted such securities as well as to disclose the valuation methods regarding such assets; underlines that such disclosure would be beneficial for the purpose of parliamentary scrutiny of the supervisory tasks conferred on the ECB;

6. Notes with concern that TARGET 2 imbalances are rising in the euro area again, despite a narrowing in trade imbalances, indicating continued capital outflows from the euro area periphery;

**Price stability**

7. Recalls that, according to Eurostat, average inflation in the euro area was 0.2% in 2016, while inflation excluding energy prices stood at 0.9%; notes in addition that, as stated in the 2016 ECB Annual Report, underlying inflation continued to lack a convincing upward trend in 2016;

8. Notes that inflation in the euro area is expected to remain below 2% until at least 2020, despite the very accommodative monetary policy followed by the ECB, which suggests that the euro area economy is not operating at full capacity, while, among other factors, the recent appreciation of the euro exchange rate makes it more difficult to achieve price stability:
9. Notes the ECB’s own assessment that without its policy package, inflation would have been almost 0.5 % lower on average than the rate currently projected for the years 2016-2019;

10. Agrees with the ECB that a balanced mix of sound and growth-friendly national fiscal policies on a basis of full respect for the SGP, including its built-in flexibility, as well as socially balanced and ambitious productivity-enhancing reforms, are also required at Member State level in order to turn the current, cyclical recovery into a scenario of lasting, sustainable, and robust structural long-term economic development;

11. Considers that, given the current inefficiencies of the monetary policy transmission channels, the ECB must ensure that price stability, defined by the ECB Council of Governors as an inflation rate of close to but below 2 %, is achieved; believes that the ECB should nonetheless carefully assess the benefits and side-effects of its policy, in particular as regards intended action to combat deflation in the future; believes that in order to create certainty and trust in the financial markets, the ECB should focus on a clear and concise communication of its monetary policy measures;

12. Believes that the ongoing crisis has highlighted the need to diversify the theoretical background underlying the policy framework within central banks; requests the ECB, in its next annual report, to analyse the impact of the crisis on the evolution of its theoretical framework;

Economic growth and employment

13. Recalls that, in accordance with the provisions of Article 2 of its Statute and Article 127 of the TFEU and the further details set out in Article 282 of the TFEU, the ECB must, without prejudice to the primary objective of price stability, support ‘the general economic policies of the Union’, with a view to contributing to the achievement of the objectives of the Union as laid down in Article 3 of the TEU;

14. Notes that GDP growth in the euro area has been stable but modest, yet favourable compared to previous years and following a steady path, standing at 2 % in 2015 and 1.8 % in 2016; observes that the Commission’s Autumn 2017 Economic Forecast predicts GDP growth rates of 2.2 % in 2017 and 2.3 % in 2018;

15. Highlights that according to the ECB Annual Report for 2016, investment rose at a slightly slower pace than in the previous year; stresses that the ECB’s monetary policy efforts have not yet left a tangible impact on the investment side of the EU economy; notes that this lack of impact is having an especially adverse effect in the peripheral regions of the Union;

16. Highlights with regret that according to the IMF’s World Economic Outlook of April 2017, the euro area’s output gap was - 1.2 % of potential GDP in 2016, a gap which is expected to remain negative until 2019, thus suggesting that euro area GDP will be below potential during the forecasting period;

17. Notes that according to the ECB, its monetary policy has been key to the cyclical economic recovery in the euro area, which has mainly been and continues to be driven, among other factors, by domestic demand, supported by favourable financing conditions and improving labour markets, and productivity and competitiveness-enhancing reforms in some Member States, while also benefiting from the fall in oil prices, which will add a cumulative 1.7 % to growth in the period 2016-2019;

18. Considers that, as noted by the ECB President, monetary policy is not sufficient to sustain economic recovery, nor can it contribute to solving the structural problems of the European economy, unless it is complemented by carefully designed, socially balanced and fair long-term growth- and competitiveness-enhancing policies at Member State level, in combination with sound fiscal policy and within the Stability and Growth Pact; agrees with the ECB, furthermore, that it is necessary to deepen the institutional architecture of EMU to support the above-mentioned reforms and to make the euro area more resilient to macroeconomic shocks;
19. Regrets that even though unemployment has decreased from 10.5% in December 2015 to 9.6% in December 2016, many euro area countries continue to suffer from a high level of unemployment, and aggregate demand in the euro area remains subdued, also bearing in mind that persistent inequality in the EU may be harmful to sound and inclusive economic development; calls, therefore, for implementing policies that are geared to increasing productivity, with a focus on skills that facilitate further creation of quality jobs, as well as wage increases;

20. Takes note of the ECB Annual Report's analysis of the distributional consequences of the ECB's policies; encourages the ECB to continue studying the distributional impact of its monetary policy, including on income inequality, and to take that research into account in the context of crafting monetary policy;

21. Stresses that in order to ensure the full effectiveness of monetary policy, current account imbalances must be corrected with appropriate fiscal, economic policies and productivity-enhancing reforms;

Credit supply and banking supervision

22. Points out that even though M1 grew at a rate of 8.8% in 2016, M3 continues to grow at just 5% per year, which shows that the transmission of monetary policy is not fully effective and indicates monetary abnormalities as well as lack of adequate credit supply; emphasises, therefore, the importance of the Capital Markets Union (CMU), which could offer an alternative means of financing the economy during times of banking distress;

23. Acknowledges that monetary policy has reduced to some extent the cost of credit and has helped to improve access to finance for companies and households in the euro area, with particular impact in certain Member States, as noted by the 2016 ECB annual report, which states that the cost of borrowing for euro area households continues to vary across countries; considers, therefore, that the effect of this policy is limited owing to subdued credit demand, the persistence of structural problems in the banking systems of some Member States, and lack of trust among financial institutions themselves;

24. Encourages further improvement of SMEs’ access to credit, thus enforcing inclusiveness in economic development;

25. Welcomes the fact that since 2015, rates for very small loans have continued to fall at a faster pace than those for large loans, contributing to a further narrowing of the spread between very small and large loans; notes, moreover, that the spread between rates for small loans and large loans is now similar across countries in the euro area;

26. Notes that a prolonged period of an almost flat yield curve of the interest rate could affect the stability and profitability of the banking system; agrees nonetheless with the ECB’s assessment that a bank’s profitability ultimately depends on its business model, as well as on its structure and balance sheet, low interest rates notwithstanding; notes as well that the EU’s banking sector is characterised by diversity, not least as a result of national specificities, which in turn contributes to the stability of the financial system;

27. Acknowledges that while the current policy of low interest rates has a temporarily positive effect on the level of nonperforming loans (NPLs), the high risks related to NPLs should be tackled effectively in a structural fashion; notes the ECB’s and SSM’s efforts in supervising and assisting banks in the euro area in order to reduce their NPL exposure, and in particular the guidance provided by the ECB to banks on tackling NPLs in March 2017 and its actions concerning individual banks, as well as the action plan approved by the ECOFIN Council of 11 July 2017, without prejudice to Parliament’s powers regarding level 1 legislation; points out that an orderly implementation of the Council Action Plan requires a joint effort by banks, supervisors, regulators and national authorities; calls for stress tests characterised by wide coverage, methodological pertinence and robustness; recommends the careful monitoring of developments on the real estate markets; considers that any additional measures should ensure full respect for the prerogatives of the European Parliament;
CSPP

28. Welcomes the improvements made by the ECB in disclosing the list of securities held by the Eurosystem under the ECB's CSPP, but notes that this programme directly benefits mostly large corporations;

29. Calls on the ECB to continue ensuring full transparency over disclosing the volumes of the purchases made under CSPP for each company after a reasonable time-period; calls the ECB also to publish all CSPP data in a single, user-friendly spreadsheet that can facilitate the programme's public accountability; emphasises that in any case full transparency should be provided when the programme ends; furthermore calls on the ECB to make public the criteria applying regarding the eligibility of corporate bonds for purchase under the CSPP, in order to avoid possible distortions of market competition; underlines that the eligibility of bonds is subject to risk management criteria and not to the size of the issuing companies;

Additional challenges

30. Notes that the ECB as an EU institution is bound by the Paris Agreement;

31. Agrees that a well-functioning, diversified and integrated capital market would support the transmission of the single monetary policy; is of the opinion that the capital markets union (CMU) should play a key role in expanding the pool of capital in the EU; calls for the step-by-step, timely and full completion and implementation of the CMU;

32. Notes the positive opinion of the ECB regarding the establishment of a European deposit insurance scheme (EDIS) as the third pillar of the banking union; highlights the key role of deposit insurance for confidence-building and for ensuring the equal safety of deposits within the Banking Union; stresses that EDIS could further help enhance and safeguard financial stability; recognises that risk sharing and risk reduction need to go hand in hand;

33. Takes note of the Commission's reflections on establishing a European safe asset for the euro area's Banking Union;

34. Takes note of the decision of the ECB Governing Council regarding the Recommendation for a Decision of the European Parliament and of the Council amending Article 22 of the ESCB and ECB Statute, taken on 23 June 2017 in order to provide a legal basis enabling the Eurosystem to carry out its role as central bank of issue in the proposed reform of the supervisory architecture for central clearing counterparties (CCPs), thus giving the ECB the competence to regulate the activity of the clearing systems, including CCPs, with the objective of effectively countering the risks posed by those systems to the smooth operation of payment systems and the implementation of the single monetary policy; is currently assessing the recommendation, and looks forward to the discussions on this proposal;

Physical money and digital currencies

35. Agrees with the ECB on the importance of physical money as legal tender, given that the euro is the sole legal tender within the euro area, and reminds all euro area Member States that the acceptance of euro coins and banknotes should be the rule in retail transactions, without prejudice to the right of the said Member States to introduce upper limits to cash payments with a view to fighting money laundering, tax fraud, and the financing of terrorism and organised crime; suggests that the Eurosystem should issue commemorative Charlemagne banknotes that would also be legal tender;

36. Takes note of the ongoing discussions concerning a ‘central bank digital currency’ or ‘digital base money’ that would be made available to a wide range of counterparties, including households; encourages the Commission and the ECB to study such schemes with a view to improving public access to payment systems, alongside physical money, as well as the potential challenges entailed for the ECB’s monopoly of issuing money; stresses that progress in the field of virtual currencies must not lead to restrictions on retail cash payments or to the abolition of cash;
37. Underlines the importance of cyber-security for the financial sector; welcomes the ECB's work in this area, including the launching of a pilot scheme for reporting significant cyber incidents in February 2016 and collaboration in the framework of the G7;

**Accountability and transparency**

38. Asks the ECB to continue providing the necessary support to Greece, and to any other Member State, in the review of the completion of the financial assistance programme; considers that such support could involve, without prejudice to its independent status, the inclusion of Greek sovereign bonds in the PSPP, on the basis of the eligibility criteria applied to all Member States, and the extension of the CBPP3 programme to Greek legal entities governed by public and private law, in accordance with the same eligibility criteria;

39. Calls on the ECB, in cooperation with the ESAs, to assess all the consequences of the UK's withdrawal from the EU and to stand ready to prepare for the relocation of banks and their activities in the euro area; considers the strengthening of oversight for euro-clearing outside the euro area to be of the utmost importance, in order to avoid supervisory gaps and financial stability issues; is starting to debate the Commission's proposal amending EMIR as regards the supervision of CCPs issued in June 2017 at committee level, with a view to achieving this strengthening;

40. Notes that the High-Level Group on Own Resources has identified ECB profits from seigniorage as one of the possible new own resources for the EU budget; stresses that turning these profits into an EU own resource would require a change to the Statute of the ESCB and the ECB, as well as adjustments to accommodate the specific situation of non-euro area Member States;

41. Considers that the ECB's independence, and thus its degree of accountability, must be commensurate with its importance; emphasises that the ECB's responsibilities and tasks require transparency towards the general public and enhanced accountability towards Parliament; stresses the need to submit shortlists of candidates so that Parliament can perform its institutional role in the appointment of the President, Vice-President and other executive board members of the ECB;

42. Points out that the Monetary Dialogue is an important tool for ensuring the transparency of monetary policy decisions vis-à-vis Parliament, and hence for the general public; welcomes the regular presence of and dialogue with the President of the ECB and other members of the Executive Board in the framework of the Monetary Dialogue and other formats; considers that the Monetary Dialogue could be further improved, including by revamping it in order to strengthen the focus, interactivity and relevance of the exchange of views with the ECB President and other members of the Executive Board in the framework of the Monetary Dialogue and other formats, on the lines of the recommendations and feedback from monetary experts commissioned by the Committee on Economic and Monetary Affairs in March 2014; also calls on the ECB's officials to continue with the welcome practice of providing answers in writing when outstanding issues remain after the exchanges of views;

43. Welcomes the decision made by the ECB in 2016 to publish in its annual report its feedback on the input provided by Parliament, and encourages the ECB to continue its transparency efforts in order to better explain its monetary policy measures; recalls its request to the ECB to add a chapter or an annex to its annual report providing a comprehensive feedback on Parliament's report on the previous year;

44. Asks the ECB to ensure the independence of the members of its internal Audit Committee; urges the ECB, in order to prevent conflicts of interest, to publish declarations of financial interests for its Governing Council members; urges the ECB to ensure that the Ethics Committee is not chaired by a former President or other past members of the Governing Council of the ECB, nor by anyone liable to conflict of interest; calls the ECB Governing Council to follow the EU Staff Regulations and Code of Conduct and require a two-year professional abstention period for its outgoing members after the conclusion of their mandate; stresses that the members of the Executive Board of the ECB should in principle abstain from being simultaneous members of forums or other organisations which include executives from banks supervised by the ECB, unless such membership is in line with established practice at global level and the ECB participates alongside other central banks such as the United States Federal Reserve or the Bank of Japan; considers that in these cases the ECB should take
appropriate measures to avoid possible interference with its supervisory role and should not participate in discussions regarding individual banks under its supervision; takes note of the recommendations of the European Ombudsman of 15 January 2018 regarding the involvement of the President of the European Central Bank and the members of its decision-making bodies in the ‘Group of Thirty’;

45. Calls on the ECB to adopt a clear and public policy on whistle-blowing;

46. Notes that the ECB’s current employment policy regarding temporary agents, relying also on repetitive temporary contracts, may create instability in the working environment and undermine professional cohesion within the ECB; is concerned by the alleged cases of cronyism and the high level of dissatisfaction among ECB employees; notes and welcomes the ECB’s initiatives to address these issues, also through a strengthened dialogue with staff representatives, and encourages it to pursue this effort further; calls on the ECB to ensure equal treatment and equal opportunities for all its staff, as well as to guarantee decent working conditions within the institution;

47. Welcomes the ECB’s efforts to improve clarity and transparency in relation to the provision of emergency liquidity assistance (ELA) and the determination of its pricing, in line with the agreement on ELA of May 2017; points out that the provision of central bank liquidity to institutions in the euro area could be further clarified;

48. Welcomes the ECB’s practice of publishing its decisions of general application, regulations, recommendations and opinions, thereby reducing the number of exemptions from disclosure; asks the ECB to increase its transparency towards the public, including via public consultations, where the publication does not significantly disturb the functioning of the markets;

49. Stresses that the ECB’s supervisory and monetary policy roles should not be confused and should not generate any conflict of interest in its execution of its principal functions;

50. Instructs its President to forward this resolution to the Council, the Commission and the ECB.
The European Parliament,

— having regard to the Commission communication of 30 November 2016 entitled ‘Accelerating Clean Energy Innovation’ (COM(2016)0763),

— having regard to the Paris Agreement under the United Nations Framework Convention on Climate Change ratified by the European Union on 4 October 2016,


— having regard to the Commission communication of 15 December 2011 entitled ‘Energy Roadmap 2050’ (COM(2011)0885), and to its resolution of 14 March 2013 on the Energy Roadmap 2050, a future with energy (2),


— having regard to the Commission proposal of 30 November 2016 for a regulation of the European Parliament and of the Council on the Governance of the Energy Union (COM(2016)0759), and in particular the ‘research, innovation and competitiveness’ dimension of the Energy Union therein, most notably Article 22 on ‘Integrated reporting on research, innovation and competitiveness’,


— having regard to the Commission communication of 22 November 2016 entitled ‘Europe’s next leaders: the Start-up and Scale-up Initiative’ (COM(2016)0733),

— having regard to Rule 52 of its Rules of Procedure,

— having regard to the report of the Committee on Industry, Research and Energy and the opinions of the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism and the Committee on Regional Development (A8-0005/2018).
A. whereas research, development and innovation constitute a distinct dimension of the EU’s Energy Union, with energy R&D&I being key drivers of the Union’s industrial leadership, its global competitiveness, its sustainable growth, job creation, as well as the overall energy security of Member States and the Union, by reducing dependence on energy imports and fostering an efficient and sustainable use of all energy sources;

B. whereas the EU remains a global leader in high-value, low-emission energy innovation, including in energy efficiency, renewables and in emerging clean technologies, giving the EU a solid basis to make a further leap in clean energy research and innovation, including in development of batteries for e-mobility and energy storage; whereas ambitious, targeted climate and energy policies, particularly through the 2030 climate and energy framework, as well as the energy roadmap 2050, have been key drivers of this leadership; whereas, in this context, the Paris Agreement substantially increased the level of global ambition and of signatories’ concrete commitments on climate change mitigation; whereas the EU must further remain ambitious in its policies and instruments in order to send the right investment signals and not lose its global leading market position in clean energy research and innovation;

C. whereas progress in energy efficiency and renewable energy-based innovations and R&D are key to the EU’s future competitiveness, including Europe’s industry; whereas the EU will become ‘the world number one in renewables’ only through the deployment of cost-effective innovations and intensified R&D efforts in this specific sector; whereas implementation of the ‘energy efficiency first’ principle needs to be underpinned by a robust innovation policy at European level, notably related to system integration;

D. whereas a fully functioning and competitive internal energy market, with an appropriate regulatory framework and infrastructure, is essential for further stimulating R&D&I and maximising the market uptake of new clean technologies across all EU regions by providing economies of scale and regulatory and investment certainty, thereby enabling the Union to reap the full potential of technology-neutral energy innovation that fosters efficiency, a low-emission and sustainable use of energy sources and decentralised generation, storage and transport solutions and technologies;

E. whereas innovation in clean energy should also contribute to providing an affordable energy supply to European consumers by helping them enjoy lower energy tariffs and more control over their energy consumption and production and offering them products and services that consume less energy;

F. whereas the energy policy and financing instruments of the EU and its Member States, including relevant public investments, should be designed to take full advantage of accelerating technical developments, and should primarily focus on a gradual transition to clean, highly efficient, low-emission energy systems; whereas, due to market, technological or scientific uncertainty, funding from the private sector is often either insufficient or unavailable; whereas the EU needs to send strong and consistent signals and create incentives, in order to provide investor certainty and boost private investment in clean energy innovation, R&D and deployment;

G. whereas innovation is driven first and foremost by innovators and market demand; whereas the Commission should focus its efforts primarily on creating an enabling framework for innovators, ranging from simplifying access to research financing to turning knowledge into commercially viable products; whereas partnerships between researchers and relevant industrial partners can be helpful in this context;

H. whereas energy subsidies affect market prices, masking the true costs of energy from different sources and the true cost of energy-related technologies, thus negatively impacting the conditions for research and investment in clean energy innovation, as well as its eventual deployment; whereas, while the use of subsidies should be progressively phased out this use should, in the meantime, be limited to temporary instruments aimed at creating a level playing field and a competitive market facilitating the uptake of new clean technologies, especially in the areas of energy efficiency and renewables;
I. whereas the life-cycle assessment (LCA) of greenhouse gas emissions from energy sources, distribution networks and technologies should be taken as a reference when addressing concrete policies and incentives at EU level aimed at fostering clean, low-emission, energy-efficient solutions and technologies, including the sustainable sourcing of raw materials and minerals; whereas focus should be put on those clean energy innovations that have direct relevance to citizens and prosumers, allowing their participation in the energy transition and making the transition itself more affordable;

J. whereas energy-related research and innovation was recognised as a priority area under FP7 and Horizon 2020, and should continue to be so under FP9, given the Union’s commitments within the Energy Union and under the Paris Agreement, so as to leverage public and private R&D funding more effectively, and to help lower the investment risks of most prospective innovation in clean energy, particularly in energy efficiency and renewables;

K. whereas the transport sector represents one third of the EU’s energy consumption, holds enormous potential for energy efficiency and carbon emissions reduction, and should therefore play a vital role in the transition towards new energy solutions and to a low-carbon society;

1. Welcomes the Commission communication setting the framework for accelerating the EU’s clean energy innovation; stresses the need for a regulatory and financing framework for energy innovation that is coherent with the EU’s energy roadmap 2050 and its commitments under the Paris Agreement, and that fosters the efficient and sustainable use of all energy sources, thus resulting in energy savings and wider benefits, including in the areas of health, safety, and air and water quality, while at the same time ensuring the Union’s industrial competitiveness, its security of energy supply and compliance with the EU treaty obligations, as well as a comprehensive response to environmental concerns; recognises that the framework for accelerating the EU’s clean energy innovation is an integral part of a wider set of legislative proposals set out in the ‘Clean Energy for All Europeans’ package and should therefore reinforce its various elements, the Union’s commitments made under the Paris Agreement and the wider Energy Union legislation and principles, particularly those reflected in the 2030 climate and energy framework and the 2050 roadmap, while respecting the provisions of Articles 191 and 194 of the Treaty on the Functioning of the European Union (TFEU);

2. Recognises that the successful deployment of energy innovation is a multidimensional challenge that encompasses both supply- and demand-side value chains, human capital, market dynamics, regulation, innovation and industrial policy issues; stresses that this challenge requires the engagement of citizens — both consumers and prosumers — as well as a wide ecosystem of stakeholders, including academia, research and technology organisations (RTOs), SMEs, start-ups, energy and construction companies, mobility providers, service suppliers, equipment manufacturers, IT and telecoms companies, financial institutions, Union, national, regional and local authorities, renewable energy communities, NGOs, educators and opinion leaders; highlights the value of new business models that use innovative digital technologies to, inter alia, optimise self-generation, storage, exchange and self-consumption of on-site clean energy and increase access to renewables, including for households in energy poverty;

3. Considers that a cost-effective energy transition towards environmentally friendly, consumer-oriented and more digitalised and decentralised systems with active prosumers and prosumer communities requires research and the deployment of innovation across all energy system sectors, including non-technology-specific and systemic solutions, inter alia ones aimed at efficiency and decentralised energy generation; recognises that this transition is fostering new organisational models, particularly in energy generation, transmission, distribution and storage, electro-mobility, business and needs management, and service provision; recognises the need for common standards in order to foster a connected and digitalised energy system; underlines the role that sustainable large-scale pilot projects, including community-based ones, can play in deploying systemic energy innovation;
4. Recalls that energy efficiency should be a cross-cutting horizontal priority in the research and innovation policy of the EU that applies to all sectors and is not limited to energy-related projects and that systematically promotes and incentivises the production of more energy-efficient processes, services and goods, while implementing the ‘energy efficiency first’ principle throughout the full energy chain, including energy generation, transmission, distribution and end-use;

5. Recognises the importance of further liberalising European energy markets, notably by removing obstacles to free price formation and phasing out energy subsidies, in order to facilitate further innovation and the deployment of new technologies which lead to more sustainable energy use and which foster an emerging supply of renewable energy, and to create a level playing field and a competitive market capable of delivering a better deal for energy consumers, prosumers, communities and businesses;

Coherence of EU actions

6. Notes that clean energy R&D&I crucially depends on a stable market and on the predictability and certainty of a regulatory framework, which require an ambitious and deliverable long-term policy vision, including energy- and climate-related goals and commitments, sustained targeted incentives and patient equity capital in order to create a level playing field among technologies, thus facilitating innovation, easing energy supply, lowering market entry barriers and making it easier for clean energy innovation to attain the critical mass necessary for market deployment; welcomes and encourages the focus on key technologies, as confirmed in the Strategic Energy Technology Plan (SET-Plan) and the Commission communication; reiterates the provisions of Article 194 TFEU and notes that they must be reflected in policy and financial instruments supporting clean energy innovation; stresses the need, however, for greater prioritisation of cross-cutting, cross-sectoral, systemic innovation in energy, as well as the promotion of education and entrepreneurship, since innovation is not only technology-driven; underlines the need for this systemic approach to be able to effectively integrate different solutions available or under development, particularly with regard to energy efficiency and the integration of renewables; calls for European technology and innovation platforms to be used to help identify prospective clean energy innovation merit ing targeted support;

7. Urges the Commission and the Member States, and, where relevant, regional authorities, to put in place mechanisms for coordinating EU, national and regional research and energy innovation programmes in order to foster synergies and avoid duplication, thus ensuring the most effective use of existing resources and infrastructure, as well as of energy sources available in the Member States, in order to maximise the market uptake of new technologies and innovation and to promote new business models across the EU; believes that including relevant information in integrated national energy and climate plans could be conducive to that aim; stresses in this context the importance of promoting best practices and information exchange, as well as streamlining the rules on participation in energy innovation programmes for all organisations, enterprises, universities and institutes, both from the EU and from third countries;

8. Welcomes the Commission’s commitment to continue to fund fundamental research through Horizon 2020 and the European Research Council; stresses the need to further enhance the funding of collaborative research under Horizon Societal Challenges in the field of energy, but also streamlining energy innovation in the other societal challenges; notes the Commission’s proposal to strengthen market-creating innovations by setting up a European Innovation Council in addition to the Start-up and Scale-up Initiative, thereby contributing to the fostering of breakthrough innovations that can capture and create new markets; believes that the creation of market-based financing instruments (such as loans and equity) should not be to the detriment of grants funding that enables non-profit and public actors, such as academia, universities and civil society, to participate in transnational European projects of high value;

9. Remains concerned about the large number and complexity of existing financial instruments and stresses the need for greater coherence between the relevant funds, including structural funds, dedicated to clean energy projects, and for the existing financing instruments at EU and Member State level to be made more comprehensible; calls on the Commission to map the different funding and financing instruments along the value chain and considers that the possibility of pooling the various instruments should be assessed, while taking care not to undermine their complementarity; further considers that
some Member States lack the capacity to develop support actions for energy-related innovation, in particular through national financial support schemes, and, in this respect, calls on the Commission to further reinforce these capacities while ensuring a coherent and simplified EU financing framework in clean energy innovation:

10. Calls on the Commission to carry out an evaluation of the performance of its energy-related financial instruments and funds, and to provide a 'fast track' response to improve the instruments if specific instances of gridlock, incoherence or a need for amelioration are identified and to adapt the aforementioned instruments and funds to the new EU energy targets:

11. Calls on the Commission to propose, as part of the Union's industrial policy, a focused, long-term and technology-neutral energy dimension, based on high energy efficiency, further market liberalisation and greater transparency to help avoid investments in stranded assets; stresses that this dimension should be an integral part of the Union's industrial policy strategy and action plan; stresses the role of innovative processes and technologies in improving emission performance by energy-intensive industries; calls on the Commission to put energy and resource efficiency at the forefront of research and innovation, and encourages the Member States to make accountable investments from ETS auctioning revenues into energy efficiency and sustainable, low-emission technologies; highlights the creation of an Innovation Fund to support innovation in low-carbon technologies and processes during ETS Phase IV; considers vital the promotion of a system of open innovation where industry and companies pool their various expertise and jointly develop high-quality sustainable solutions; recognises the role of the Clean Energy Industrial Competitiveness Forum in the deployment of key energy innovation, including in the photovoltaic and wind sectors, but also possibly for, inter alia, storage solutions, carbon capture and storage and energy-producing bio-processes; welcomes the Commission's commitment and support to industry-led initiatives to promote the EU's global leadership in clean energy and low-emission technology solutions;

12. Recalls that the photovoltaic industry must be at the heart of European industrial policy to meet the demands of a growing global market in a context where the bulk of photovoltaic cells and modules are nowadays manufactured outside the European Union, mostly in China; stresses the need for the EU to be fully integrated into the new investment cycle in order to maintain its leadership in R&D on photovoltaic manufacturing machinery, as well as on some other segments such as inverters, raw materials, building-integrated photovoltaics, operations and maintenance and on the balance of systems; further emphasises the need to maintain its expertise in system integration such as small-scale photovoltaic solutions for developing countries;

13. Urges the Commission and the Member States, when addressing the energy sector and other related sectors, to step up their efforts in support of innovation in sustainable sourcing of raw materials, better product design, recycling, reuse and cascade use of existing metals and materials in the context of the circular economy and energy savings;

14. Recognises links between digitalisation, IT technologies and energy research and innovation, in particular as regards improved data collection, interoperability, associated data security and privacy guarantees; considers that distributed ledger technologies, such as the blockchain system, can play a role in improving the efficiency of energy-related processes and in fostering citizens' engagement in the energy system transformation, including through peer-to-peer energy trading; calls on the Commission, to this end, to encourage this initiative, to improve its regulatory framework, and to ensure coherence between related aspects of the Energy Union, the digital single market, cybersecurity strategies and the European Data Protection Framework, so as to reinforce the Union's capacity to be at the forefront of this new trend;

15. Calls on the Commission to set up a dedicated inter-service team that would, inter alia:

(a) enable new common research and innovation policy planning, in order to ensure consistency, coherence and avoid frequent changes of priorities;

(b) identify the relevant stakeholders in the EU’s wider energy innovation ecosystems, at all levels and across all sectors, including offshore wind and other renewable energy technologies;
(c) identify existing stakeholder forums on energy research and innovation, especially on energy efficiency and renewables; promote the formation of clusters, integration into international value-creation networks, investment and innovation; provide tools for inter-sectoral, inter-disciplinary and inter-regional exchanges, including on energy innovation projects, national and local long-term energy innovation policies, joint investment opportunities, the appropriation of the energy transition by citizens and grass-roots initiatives;

(d) incentivise public authorities at all levels to develop capital raising plans and provide incentives to clean energy innovation in order to foster investor trust and trigger the mobilisation of private capital;

(e) establish a compendium of best practices, policy and financing instruments in energy, including PPPs, public procurement and tax incentives, exchange and information mechanisms, communication tools and campaigns, as well as operational guidelines and technical assistance on mobilising clean energy innovation, deployment and consumer involvement, so as to ensure that the EU can adequately support all stages of the innovation cycle and ultimately provide a practical toolkit for the Member States, local authorities and stakeholders;

(f) examine ways of drawing up innovation-friendly, streamlined and flexible rules for participation in FP9 and ESI Funds regulations focusing on achieving a greater long-term impact, with the aim of better aligning them, of avoiding any waste of applicants' resources and of promoting innovation excellence right across Europe;

(g) establish a mechanism with the aim of supporting a transnational energy start-up ecosystem, including a European incubator system in order to ensure that the introduction of energy innovation and business models on the market overcomes the 'valley of death' in the innovation cycle;

(h) increase synergies with Horizon 2020 and other funding initiatives to strengthen research and innovation capacity building for low-performing regions in the EU;

(i) advise the European institutions on coherent procurement practices, fostering a more extensive deployment of energy innovation; help define concrete targets in the public procurement of innovative solutions at European level;

(j) draw up concrete proposals with a view to establishing an effective one-stop-shop advisory structure for innovators on financing energy innovation via funds and instruments available at EU, Member State and European Investment Bank level, as well as from other potential private sources; enhance technical assistance by aggregating information on private and public funding possibilities and guide applicants to the most appropriate funding mechanism, notably in the field of energy efficiency where the aggregation of small projects into broader portfolios is indispensable;

(k) identify ways of introducing into EU public procurement legislation incentives to promote innovative energy solutions in the public sector;

16. Stresses that public procurement can be an innovation driver as well as fostering more sustainable growth, as also recognised by the Sustainable Development Goals; points out that the choice of sustainable products, services and public works is essential and can create lead or new markets for innovative products; welcomes the Commission's initiative under the Start-up and Scale-up Initiative to introduce measures on EU procurement to, among other things, encourage Member States to set ambitious innovation buying targets; further stresses the role that local and regional authorities can play in setting a good example, as well as engaging in the exchange of good practices in forums such as the Covenant of Mayors;

17. Urges the Commission to strengthen the innovation capacity component of competitiveness proofing in impact assessments and apply the Research & Innovation Tool to all new energy policy proposals and the review of existing legislation, without undermining the effectiveness of legislation;
18. Requests the Commission to ensure that its work on innovation on the one hand, and standards and interoperability on the other, is fully joined up so that the EU achieves global leadership in setting standards in clean energy ‘Internet of Things’-integrated sectors; welcomes, as an example in this context, the development of the new European standard for smart appliances (Saref) that will potentially create a new EU-based reference language for energy-related data allowing home devices to exchange information with any energy management system;

19. Recalls that energy innovation policies have to be in line with the EU commitment to conserve and enhance CO₂ sinks while preserving biodiversity, especially in forests, on land and in seas;

20. Encourages the relevant Member States to contribute adequately to meeting the EU’s 3% GDP target for R&D; notes that an overall increase to 3% would additionally bring in more than EUR 100 billion per year for research and innovation in Europe; recalls that two-thirds of R&D funding is expected to come from the private sector;

Long-term financing certainty

21. Reiterates its call for an increased overall budget of at least EUR 120 billion for FP9 and urges the Commission to increase the proportion of related financing for sustainable, low-emission energy projects under FP9 by at least 50% over and above the corresponding Horizon 2020 amounts, so as to ensure sufficient funding to support EU’s energy transition and the effective implementation of the Energy Union; calls, in particular, for the financial resources under FP9 to be strengthened in order to stimulate breakthroughs and market-creating innovation, especially by SMEs and start-ups; stresses the importance of strong excellence criteria for turning the EU into a global centre for innovation, research and leading technologies, including ‘blue skies’ research; points to the results of the interim evaluation of Horizon 2020 showing that, as of 1 January 2017, the programme was below target with regard to climate and sustainability spending; welcomes the increase in Horizon 2020 funding for Energy Societal Challenge under the 2018 budget, yet remains deeply worried about cuts to energy projects under the Connecting Europe Facility, which it deems incompatible with the aims of the Energy Union;

22. Reiterates the need to improve the quality of investments financed by the European Fund for Strategic Investments (EFSI) and to focus in particular on incentives for better geographical allocation, taking into account the current imbalance in the geographical coverage of EFSI and the specific needs of less developed and transitional regions; recognises the need for cooperation with national promotional investment banks, investment platforms and eligible financial intermediaries through a possible delegation of the use of the EU guarantee to them; calls for a substantial reinforcement of the role and the capacity of the European Investment Advisory Hub, notably through a local presence and a proactive role in the preparation of projects;

23. Believes that FP9 should support initiatives such as ‘100% renewable cities’, involving cities and local administrations which aim to substantially increase renewable energy capacity for electricity, mobility, heating and cooling in cities through innovation projects, which could potentially include smart grids, energy system management, activities to enable sector coupling and encourage the use of electric vehicles, etc.;

24. Recognises the role of the SET-Plan, the Knowledge Innovation Community (KIC) InnoEnergy and the relevant Joint Technology Initiatives (JTs) in driving energy innovation; stresses the need to better connect these various frameworks together with, inter alia, the InnovFin initiative, the EFSI and the proposed Pan-European Venture Capital Fund(s)-of-Funds programme (VC FoF) as part of a coordinated, focused investment strategy in clean energy innovation that would help early-stage projects, start-ups and SMEs effectively overcome the ‘valley of death’ and reach the market maturity levels needed for global expansion; considers that effective incentives for investment in energy innovation, by means of national investment funds and pension funds, could play a crucial role in mobilising the necessary equity capital;
25. Recalls that first of a kind (FOAK) projects are highly risky and the supply of equity and debt is at much lower levels than is the case for the financing of proven low-carbon technologies; calls on the Commission, to this end, to remove the remaining regulatory obstacles and propose the establishment of a SET-FOAK Equity Fund;

26. Acknowledges the role that the European Innovation Council (EIC) could play in helping early stage companies to find funding and proposes that it play the role of coordinating the various strands of a coherent investment strategy in clean energy innovation; requests more information about the EIC’s structure and consistency with existing instruments supporting innovation;

27. Considers that citizen-driven energy innovation requires lower barriers for market entry and opens untapped opportunities for innovation financing; calls on the Commission to explore effective ways to promote energy innovation through, inter alia, crowd-funding and to consider the possibility of setting up an energy innovation crowd equity fund; considers that new and diverse ways of financing should be additional and complementary to the existing ones;

28. Emphasises the importance of advancing smart grid technology, as well as the promotion and integration of bottom-up decentralised generation, including through clusters and cooperative schemes; calls on the Commission to support these areas of clean energy innovation with financial mechanisms, including those that mitigate risk for private investments and reduce burdens on public investments in the modernisation of energy systems; welcomes, moreover, the Commission’s intention to increase its use of inducement prizes as a valuable tool for fostering bottom-up, breakthrough innovations;

29. Stresses that, in order to encourage a bottom-up approach to innovation, the uptake of small scale applications (e.g. NegaWatt, on-site generation, local storage, among other things) should be promoted, and their clustering and aggregation fostered to attract more investments and increase affordability, with particular attention to low-income households or multi-occupancy buildings;

The EU’s global leadership

30. Recalls the aims of the Paris Agreement in fostering global efforts for accelerated clean energy innovation; underlines the need to continue funding research and data collection on climate change; calls on the Commission, in line with the Sustainable Development Goals (SDGs), to explore different modalities with which to assist developing countries and emerging economies in their energy transition, through, inter alia, capacity-building measures, help in reducing the capital costs of renewables and energy-efficiency projects, fostering possible technology transfer, and providing solutions for the development of smart cities, as well as remote and rural communities, thus strengthening energy innovation ecosystems in developing countries and helping them deliver on their commitments under the Paris Agreement; welcomes, in this respect, the newly established European Fund for Sustainable Development;

31. Calls on the Commission to exploit the full potential of the Mission Innovation initiative, so that its members can honour and deliver on their commitment to double annual spending on clean energy R&D between 2015 and 2020; stresses the importance of seeking synergies with other global initiatives, such as, inter alia, the Breakthrough Energy Coalition, and with global equity and investment funds; welcomes, in this respect, the Union’s leadership in the Converting Sunlight Innovation Challenge and the Affordable Heating and Cooling of Buildings Innovation Challenge; calls, in this context, for exploring the possibility of coordinated division of labour in energy innovation on a global scale;

32. Calls on the Commission to develop a comprehensive export strategy for sustainable, clean energy technologies and systemic solutions, including a dedicated support facility and focused assistance from EU delegations in third countries; underlines in this context the role that Deep and Comprehensive Free Trade Areas (DCFTA) can play in the implementation of such a strategy;
33. Calls on the Commission and the Member States to conduct a thorough examination of patent registration procedures and requests the removal of unnecessary administrative burdens, which slow down the process of the market penetration of innovative products and affect the EU’s role as a leader in the clean energy transition:

**Citizen-driven energy innovation**

34. Believes that accelerating clean energy innovation requires Europeans to undergo a change in their mindset that would transcend simple awareness of energy issues and move towards a deeper understanding of the behavioural changes, especially in energy savings and new production and consumption patterns, needed to meet the pressing challenges of sustainable growth and reap the advantages of the digital revolution and innovation in all fields, so as to ultimately succeed in the energy transition; notes that innovation can enable citizens to play a more active role in energy generation, including by feeding self-generated energy into the grid, and in contributing to a more efficient use of energy by reducing consumption at household level, thus decreasing both emissions and bills;

35. Stresses the necessity of strengthening Europe’s knowledge base and reducing fragmentation by promoting excellence in science and education, with a view to creating research centres at the international forefront of academic excellence; emphasises the need to develop a strategy which will ensure that Europe attracts foreign talent while simultaneously maintaining contacts with top European talent abroad; recognises that a qualified workforce gives Europe a great advantage and is a major motor for developing investments in R&D&I;

36. Recognises the importance of fully democratic involvement of European citizens and communities as an essential part of a successful energy transition; stresses in parallel that the effective implementation of this transformation requires openness, transparency and a level playing field and must be founded on fair competition;

37. Believes in the potential of innovation in clean energies and energy efficiency to create new and better jobs; considers that, in order to manage a successful transition to a sustainable decarbonised economy, there is a need to ensure that labour markets can respond adequately to the new demands of innovative clean energy systems;

38. Calls on the Commission to pay more attention in its R&D initiatives to the link between innovation in energy systems and new professional profiles, education needs, jobs and training requirements;

39. Recognises the need for systemic education and engagement schemes designed to enable society to fully engage in the transformation of the energy system and to enable Europeans of all ages to gradually progress from awareness and understanding towards active involvement and empowerment; calls on the Commission, the Member States, regional and local authorities and the private sector to promote informed consumer choices and the engagement of citizens in energy-related matters through, inter alia, awareness campaigns, comprehensive and accessible information on energy bills and price comparison tools, the promotion of self-generation, demand-response and cooperative sharing schemes, participatory budgets and crowd-funding for energy-related investments, and tax and investment incentives, as well as by steering technological solutions and innovations; calls on the Commission, the Member States and relevant authorities to identify best practices in addressing households in energy poverty;

40. Believes that regions and cities have a crucial role to play in enhancing sustainable energy models; recognises the vital role of regions, cities and towns in promoting ownership of the energy transition and in pushing climate and energy-related innovation from the bottom; notes that regions and urban areas are most suitable for testing and implementing integrated solutions with the direct involvement of citizens; stresses, in this respect, the role of the Covenant of Mayors, with its aspiration to foster the global exchange of best practices and the possible pooling of resources and investments; notes that rural areas also provide space for innovation that can overcome challenges such as remoteness or demographic change, as well as the provision of new services;
41. Urges the Commission and the Member States to assist regional and local authorities in taking coordinated steps to incentivise energy innovation at local and trans-regional level with the aim of developing coherent strategies; underlines that energy transition will have a drastic impact on employment in some regions of the European Union and, in that context, stresses that there should be a particular focus on regions facing the challenges of phasing out lignite, coal and other solid fossil fuel-based energy generation and on the mining industries in response to a decision by a Member State, the local authorities or the industry, or in response to other circumstances; underlines the need to support these regions in the development of inclusive, local and just transition strategies and in addressing societal, socio-economic and environmental impacts along with the reconversion of sites; highlights the financial options for providing such support through the partial use of ETS auction revenues, as well as through the Modernisation Fund to be set up for the period 2021-2030; considers that inclusive stakeholder processes should develop how best to attract alternative innovative businesses, start-ups, and industries with the aim of building a sustainable regional economy, boosting people's dignity and helping to replace electricity generation capacity with renewables or energy efficiency solutions; calls for research and innovation policies to focus on how to revitalise the regions concerned in terms of sustainable employment and growth perspectives, in particular where the retirement of energy generating capacity from lignite, coal or other solid fossil fuels is linked to mining activities;

42. Calls on the Commission to assist in empowering local and regional authorities in the deployment of clean energy innovation, such as smart cities, e-mobility and smart and micro-grids, as well as in the market penetration of renewables, depending on their level of maturity, and to help these authorities meet the challenges faced in advancing the energy transition, such as citizens' engagement; encourages the exchange of best practices, the pooling of investments and better assessment of the bankability of projects, and the development of financing strategies such as business cases and the use of public procurement and loans;

43. Believes that the transport sector holds enormous potential and should play a vital role in the transition and encourages the Commission to support existing funding for electric vehicles infrastructure deployment; calls on the Commission to continue to support and develop further initiatives such as the Europe-wide electromobility initiative and the Fuel Cells and Hydrogen Joint Undertaking;

44. Encourages the Commission to recognise the benefits of hydrogen mobility, as well as the sectoral coupling between the transport and the electricity sectors and to create incentives for new business models in similar areas, such as smart charging and vehicle-to-grid triggers, which would allow the owners of electric vehicles to sell to the power system in a flexible manner; calls on the Commission to ensure the financing of innovation aimed at the development of hydrogen storage and advanced long-term storage solutions for electric vehicles, the development of a hydrogen charging infrastructure, as well as infrastructure and plug-in solutions, including charging infrastructure for electric vehicles; encourages the Member States and local authorities to take further initiatives, such as fiscal incentives in relation to the market penetration of electric and hydrogen vehicles, tax reductions and exemptions for the owners of electric and hydrogen vehicles, as well as various other initiatives in relation to the promotion of the use of electric vehicles, such as price reductions, bonus payments and premiums for the buyers of electric vehicles, and the creation of free parking spaces for electric vehicles;

45. Notes the major efforts being made under the EU’s Horizon 2020 research and development programme with a view to achieving a 60% reduction in GHG emissions in the transport sector by 2050 compared with their 1990 level (1); recalls that EU research and innovation programmes are a key enabler of the market uptake of energy, ICT innovation and intelligent transport systems; calls on the Commission, in future, to focus the available funding more clearly on interconnected strategic priorities, such as low-emission mobility, alternative fuel charging infrastructure and integrated urban transport, with particular attention to all polluting emissions, to noise reduction, road safety, congestion and bottlenecks, and in compliance with the principle of technological neutrality; points also to the importance of developing advanced biofuels, increasing the share of rail transport and cycling;

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46. Welcomes the fact that the Commission will support the market uptake of innovative clean energy solutions through public procurement and the revision of the Clean Vehicles Directive, and recognises the potential benefit to public transport authorities and operators, bus manufacturers, industry suppliers, energy providers, national and international associations and research centres; calls on the Commission to come forward swiftly with proposals to this effect;

47. Encourages the setting-up of a Strategic Transport Research and Innovation Agenda, with roadmaps drawn up in consultation between the Member States and the Commission, and also local and regional authorities and operators, and a corresponding governance mechanism, to support research, innovation and the deployment of new technologies in the transport sector and to encourage low-emission mobility, all of which are much needed; calls for the conclusions of these roadmaps to be included in the Commission's annual work programme;

48. Calls for an integrated and coordinated approach to take account of the urban dimension of EU and national policies and legislation, and for the development of Sustainable Urban Mobility Plans (SUMPs) in order to support, enable and encourage the Member States to improve the health and quality of life of citizens and the state of the environment in urban areas; encourages the development of Cooperative Intelligent Transport Systems (C-ITS) and autonomous vehicles and the deployment of communicating infrastructures to guarantee the high capacity and low latency needs for a 5G network; calls for active efforts to reduce the disparities and improve cooperation between urban and rural areas and between more developed regions and those lagging behind when it comes to infrastructural quality;

49. Recognises the importance of the new European Consensus on Development signed in June 2017, which sets out a common vision and framework of action for the EU and its Member States in the field of development cooperation; notes that, for the first time, the 17 SDGs and associated targets to be achieved by 2030 are universally applicable to all countries, in view of the EU commitment to take the lead in implementing them; observes that the Consensus brings Union development policy into line with the 2030 Agenda for Sustainable Development and identifies important measures in the area of sustainable energy and climate change;

50. Recalls that Article 8 of the Common Provisions Regulation (CPR) lays down that 'the objectives of the ESI Funds shall be pursued in line with the principle of sustainable development', with the EU's aim of preserving, protecting and improving the quality of the environment, and with its commitments under the Paris Agreement;

51. Recalls that the Partnership Agreements and programmes under the CPR aim to promote resource efficiency, climate change mitigation and adaptation, and the horizontal principles of partnership, multi-level governance, non-discrimination and gender equality;

52. Considers that synergies between EU policies should be strengthened through a unified and consistent EU position on anti-dumping measures, in order to ensure that the manufacturing industry takes full advantage of the energy transition;

53. Recognises the vital role of regions, cities and towns in promoting ownership of the energy transition worldwide and in pushing for climate- and energy-related bottom-up innovation; calls for the application of the same environmental quality standards for all energy technology entering the EU market; expresses its concern about the safeguarding of urban green areas;

54. Instructs its President to forward this resolution to the Council, the Commission and the Member States.
P8_TA(2018)0032

Fighting discrimination of EU citizens belonging to minorities in the EU Member States

European Parliament resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States (2017/2937(RSP))

(2018/C 463/03)

The European Parliament,

— having regard to Articles 2 and 3 of the Treaty on European Union (TEU),

— having regard to Articles 10, 19, 21 and 167 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to the right to petition enshrined in Articles 20 and 227 of the TFEU and Article 44 of the Charter of Fundamental Rights of the European Union (EUCFR),

— having regard to Articles 21 and 22 of the EUCFR,

— having regard to the preamble to the TEU,

— having regard to the Council of Europe's Framework Convention for the Protection of National Minorities, Protocol No 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms, and the European Charter for Regional or Minority Languages,


— having regard to the judgment of the General Court of the Court of Justice of the European Union (CJEU) of 3 February 2017 in Case T-646/13 — Minority SafePack — one million signatures for diversity in Europe v Commission (4),

— having regard to its resolutions on the situation of fundamental rights in the European Union,

— having regard to its resolution of 8 June 2005 on the protection of minorities and anti-discrimination policies in an enlarged Europe (5),

— having regard to its resolution of 11 September 2013 on endangered European languages and linguistic diversity in the European Union (6),

(6) OJ C 93, 9.3.2016, p. 52.
having regard to its resolution of 12 March 2014 entitled ‘EU Citizenship Report 2013. EU citizens: your rights, your future’ (1),

— having regard to its resolution of 15 December 2016 on the activities of the Committee on Petitions 2015 (2),

— having regard to its resolution of 25 October 2017 entitled ‘Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism’ (3),

— having regard to its resolution of 12 December 2017 entitled ‘EU Citizenship Report 2017: Strengthening citizens’ rights in a Union of democratic change’ (4),

— having regard to the study of April 2017 commissioned by Policy Department C of the European Parliament at the request of the Committee on Petitions entitled ‘Discrimination(s) as emerging from the petitions received’,

— having regard to the study of August 2017 commissioned by Policy Department C of the European Parliament at the request of the Committee on Civil Liberties, Justice and Home Affairs entitled ‘Towards a comprehensive EU protection system for minorities’,

— having regard to the study of May 2017 commissioned by Policy Department B of the European Parliament at the request of the Committee on Culture and Education entitled ‘Minority Languages and Education: Best Practices and Pitfalls’,

— having regard to the public hearing organised by the Committee on Petitions of 4 May 2017 entitled ‘Fighting against discrimination of EU citizens in the EU Member States and protection of minorities’ (5),

— having regard to Rule 216(2) of its Rules of Procedure,

A. whereas the Committee on Petitions has received several petitions raising concerns about various practices that discriminate against EU citizens belonging to minorities and has organised a hearing on the different issues raised;

B. whereas there is a strong link between minority rights and the principle of the rule of law; whereas Article 2 of the TEU expressly mentions the rights of persons belonging to minorities and whereas these rights deserve to be accorded the same treatment as the other rights enshrined in the Treaties;

C. whereas Article 10 of the TFEU stipulates that ‘in defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation’;

D. whereas while international agreements provide a solid framework for minority rights, there is still considerable room for improvement in the way in which the protection of minority rights is put into practice in the EU;

E. whereas every person in the EU has an equal right and duty to become a full, active and integrated member of society;

F. whereas upholding minority rights is an essential requirement for candidate countries as laid down in the Copenhagen criteria;

G. whereas discrimination on the grounds of ethnic origin is cited as the most common form of discrimination and whereas discrimination on the grounds of sexual orientation has increased significantly according to the most recent Eurobarometer survey on discrimination (6);
H. whereas the Commission’s proposal for an Equal Treatment Directive (COM(2008)0426) covers a large number of areas, such as education, social protection, and access to and supply of goods and services;

I. whereas petitions received by the Committee on Petitions in the field of discrimination in relation to minority rights should be examined thoroughly in order to understand the concerns raised by citizens and propose solutions;

J. whereas several petitions show that minorities encounter discrimination in the exercise of their fundamental rights, and whereas this raises concerns regarding the future of minority communities, in particular in the light of activities that pollute the environment;

K. whereas the protection and strengthening of cultural heritage related to national minorities in the Member States — a key component of the cultural identity of communities, groups and individuals — plays a crucial role in social cohesion;

L. whereas Member States have a clear responsibility to take corrective measures against practices that discriminate against members of the Roma community, in particular in their dealings with regional and national administrative authorities;

M. whereas petitioners are concerned about the lack of a comprehensive EU response and protection when it comes to their linguistic and other minority rights, which are enshrined in the EUCFR and the general principles of EU law, as stated by the CJEU;

1. Deplores the fact that persons belonging to minorities still encounter obstacles in ensuring respect for their fundamental rights and remain victims of hate speech and hate crimes;

2. Considers that Member States should consistently uphold the rights of minorities and periodically assess whether those rights are being respected;

Combating discrimination against autochthonous, national and linguistic minorities: a national and EU responsibility

3. Observes that minority issues have not been high enough on the EU agenda and supports an integrated approach to equality and non-discrimination, with the objective of ensuring that Member States deal appropriately with the diversity of people in their societies;

4. Believes that the EU has a responsibility to protect and promote the rights of minorities; considers it necessary to improve the EU’s legislative framework to protect the rights of persons belonging to minorities in a comprehensive manner;

5. Emphasises the role of the EU institutions in raising awareness of the issues related to the protection of minorities and encouraging and supporting the Member States in promoting cultural diversity and tolerance, especially through education;

6. Stresses that the development of any cultural heritage policy should be inclusive, community based and participatory, involving consultation and dialogue with the minority communities concerned;

7. Notes that the EU lacks effective tools to monitor respect for minority rights; calls for effective EU-wide monitoring of the situation of autochthonous and linguistic minorities; considers that the EU Agency for Fundamental Rights should carry out enhanced monitoring of discrimination against national minorities in Member States;

8. Acknowledges the important role of the Member States in the protection of autochthonous, national or linguistic minorities; recalls that the protection of national minorities and the prohibition of discrimination on grounds of language and membership of a national minority are enshrined in the Treaties and the EUCFR;
9. Regrets that the issues raised in its resolution on the protection of minorities and anti-discrimination policies in an enlarged Europe have not yet been resolved;

**EU legal framework on minorities: challenges and opportunities**

10. Highlights the fact that the rights of national minorities and the protection thereof are integral to the rule of law as laid down in the Organisation for Security and Cooperation in Europe (OSCE) Copenhagen Document signed in 1990;

11. Calls on the Member States to ensure that their legal systems guarantee that persons belonging to a minority are not discriminated against and to take targeted protection measures based on relevant international norms; condemns any discriminatory treatment by public officials of persons belonging to minorities; suggests that the competent authorities make use of the measures in place for reporting and, where necessary, sanctioning such cases of discrimination;

12. Stresses that the situation and legal status of non-citizens permanently resident in Member States needs to be addressed;

13. Highlights that the natural and cultural heritage resources of national minorities are key pillars of social cohesion and must be considered assets to be fully preserved for future generations, including by putting a stop to polluting activities;

14. Calls on all Member States to sign, ratify and enforce the Framework Convention for the Protection of National Minorities, Protocol No 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms and the European Charter for Regional or Minority Languages, or to update their commitments towards the relevant international agreements; stresses that linguistic and autochthonous minorities should be treated in accordance with the principles laid down in these documents;

15. Calls for the Racial Equality Directive and the Equal Treatment in Employment Directive to be revised; deeply regrets that little progress has been made on the adoption of the proposal for an Equal Treatment Directive and calls on the Commission and the Council to relaunch the relevant negotiations with the aim of concluding them before the end of this legislative term;

**Protection and defence of minority languages**

16. Encourages the Member States to ensure that the right to use a minority language is upheld and to protect linguistic diversity within the Union in accordance with the EU Treaties;

17. Believes that linguistic rights must be respected in communities where there is more than one official language, without limiting the rights of one compared with another, in line with the constitutional order of each Member State;

18. Calls on the Commission to strengthen the promotion of the teaching and use of regional and minority languages, as a potential way of tackling language discrimination in the EU;

**Rights of LGBTI persons**

19. Encourages the Commission to take more resolute steps to combat LGBTI discrimination and homophobia, including concrete legislative measures, while respecting the competences of Member States; recommends monitoring LGBTI rights and providing clear and accessible information on the recognition of cross-border rights for LGBTI persons and their families in the EU; considers that Member States should duly invest in providing targeted education at different stages in order to prevent bullying and combat homophobia in a structured manner;

20. Urges the Commission to ensure that Member States correctly implement the Free Movement Directive, consistently respecting, inter alia, the provisions related to family members and prohibiting discrimination on any grounds;
21. Calls on the Commission to take action in order to ensure that LGBTI individuals and their families can exercise their right to free movement in accordance with both Article 21 of the TFEU and Article 21 of the EUCFR:

22. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.
Zero Tolerance for female genital mutilation

European Parliament resolution of 7 February 2018 on zero tolerance for Female Genital Mutilation (FGM)
(2017/2936(RSP))
(2018/C 463/04)

The European Parliament,

— having regard to Articles 8 and 9 of the Victim’s Rights Directive (2012/29/EU) of 25 October 2012 (1) on the obligatory provision of support services to victims of violence, including those of FGM,

— having regard to Articles 11 and 21 of the Reception Conditions Directive (2013/33/EU) of 26 June 2013 (2) which specifically mentions victims of FGM amongst vulnerable persons who should receive appropriate healthcare during their asylum procedure,

— having regard to Article 20 of the Qualification Directive (2011/95/EU) of 13 December 2011 (3), where FGM as a serious form of psychological, physical or sexual violence is included as a ground to be taken into consideration for international protection,

— having regard to its resolution of 6 February 2014 on the Commission communication entitled ‘Towards the elimination of female genital mutilation’ (4),

— having regard to its resolution of 14 June 2012 on ending female genital mutilation (5), which called for an end to FGM worldwide through prevention, protection measures and legislation,

— having regard to the EU Annual Reports on Human Rights and Democracy in the World,

— having regard to the Council conclusions of June 2014 on preventing and combating all forms of violence against women and girls, including female genital mutilation,

— having regard to the Council conclusions of March 2010 on eradication of violence against women in the EU,


— having regard to the Joint Statement of 6 February 2013 on the International Day against Female Genital Mutilation, in which the Vice-President of the Commission/ High Representative and five Commissioners confirmed the EU’s commitment to combatting FGM in its external relations,

— having regard to the EU Action Plan on Human Rights and Democracy 2015-2019, in particular Objective 14(b),

— having regard to the 2030 Agenda for Sustainable Development, in particular target 5.3 on eliminating all harmful practices, such as child, early and forced marriage and female genital mutilation,

— having regard to the Gender Action Plan 2016-2020,
— having regard to the European Institute for Gender Equality report of 2013 on ‘Female genital mutilation in the European Union and Croatia’,

— having regard to the Council of Europe Convention of 2014 on preventing and combating violence against women and domestic violence (Istanbul Convention),

— having regard to its resolution of 12 September 2017 (1) on EU accession to the Istanbul Convention on preventing and combating violence against women and domestic violence,

— having regard to the Declaration of the Council of Europe Committee of Ministers of September 2017 on the need to intensify the efforts to prevent and combat female genital mutilation and forced marriage in Europe,

— having regard to the UN General Assembly resolution of 20 December 2012 on ‘Intensifying global efforts for the elimination of female genital mutilations’ (A/RES/67/146),

— having regard to the Cotonou Agreement,

— having regard to the EU-UN Spotlight Initiative of 2017 on eliminating violence against women and girls,

— having regard to the question to the Commission on zero tolerance for Female Genital Mutilation (FGM) (O-000003/2018 — B8-0005/2018),

— having regard to the motion for a resolution of the Committee on Women’s Rights and Gender Equality,

— having regard to Rules 128(5) and 123(2) of its Rules of Procedure,

A. whereas the 2030 Agenda for Sustainable Development explicitly calls for the elimination of female genital mutilation alongside harmful practices under Goal 5 ‘Achieve gender equality and empower all women and girls’;

B. whereas FGM is a practice underlined for special attention within Objective 14 ‘Promoting gender equality, women’s rights, empowerment and participation of women and girls’ of the EU Action Plan on Human Rights and Democracy 2015-2019;

C. whereas the Gender Action Plan 2016-2020 (GAP II) under Thematic Priority B: ‘Physical and Psychological Integrity’ includes as an indicator the percentage of girls and women aged 15-49 years who have undergone FGM;

D. whereas, as a detrimental practice of a transnational nature, FGM is now recognised as a global issue, with the 2030 Agenda on UN sustainable development goals identifying it as a harmful practice which is to be eliminated by the year 2030;

E. whereas UNICEF’s 2016 statistical report states that a minimum of 200 million girls and women worldwide have undergone FGM, but the exact figure remains unknown;

F. whereas FGM — still being traditionally practised in certain parts of the African continent but also in parts of the Middle East, Asia and Oceania — also poses a problem in the European Union, with severe consequences for the women and girls affected;

G. whereas, although uneven, there has been progress over the past three decades, with the prevalence rates dropping by some 30%; whereas this progress could nevertheless be offset by population growth, meaning that a greater number of girls and women will undergo the procedure;

H. whereas local communities are often the greatest single influence on the decision by parents to cut their female children or by women choosing to undergo FGM;

I. whereas although there is no religious requirement to perform FGM, a strong presence of religion in many practicing communities makes it necessary for religious and other leaders to be engaged in the movement against FGM;

J. whereas, in order to devise an appropriate eradication strategy, this practice must always be examined in the local context;

K. whereas FGM is often non-dissociable from other gender inequality issues and appears as only one of many violations against women's rights such as: lack of access to education for girls, including comprehensive sex education; lack of work or employment for women; the inability to own or inherit property; forced or early child marriage; sexual and physical violence; and lack of quality healthcare, including sexual and reproductive health and rights services;

L. whereas FGM shares the premise of control over women's bodies with other forms of gender-based violence and violates a woman's right to health, security and bodily integrity and, in some cases, even her right to life;

M. whereas, while prevention represents a more desirable pathway to abandonment of FGM than prosecution given that offenders, aiders and abetters are frequently the parents of a victim, there is an evident need to also remove obstacles to the prosecution of FGM cases, while taking into account the best interests of the child;

1. Notes a drop in the prevalence rates of FGM as a result of decisive actions and awareness-raising, and encourages all actors to continue their efforts in order to preserve the momentum in countries where FGM is prevalent;

2. Sees this momentum as an opportunity for international organisations and states to step up their efforts, primarily through creating links and connections between different regions, stakeholders and sectors in order to actively work together to achieve the abandonment of this and other practices that are harmful to a girl child, who may suffer the physical, psychological and emotional consequences for the whole of her life;

3. Recognises the invaluable work of the organisations working with communities on the ground both in the EU and outside on prevention and awareness-raising and in advocacy, and recognises that building bridges between them is a necessity if FGM is to become a thing of past;

4. Calls on the Commission and Member States to mainstream the prevention of FGM into all sectors, especially health including sexual and reproductive health, social work, asylum, education including sex education, law enforcement, justice, child protection, and media and communication;

5. Underlines that, under Article 38 of the Istanbul Convention, the Member States have the obligation to criminalise FGM, as well as incitement, coercion or procurement of a girl to undergo it, and that the Convention protects not only girls and women at risk from FGM, but also girls and women who suffer the lifelong consequences of this practice (in situations such as re-infibulation, asylum-related situations, access to care, etc.); stresses that the Istanbul Convention lays down that culture, custom, religion, tradition or so-called 'honour' cannot be a justification for any acts of violence against women;

6. Calls on the EU and those Member States which have not yet ratified the Council of Europe's Istanbul Convention on preventing and combating violence against women to do so without delay so that the EU's commitment complies with international standards promoting a holistic and integrated approach to violence against women and to FGM;

7. Is pleased to note that the criminal law in all Member States protects girls and women from FGM either explicitly or implicitly, but is extremely concerned about its apparent ineffectiveness, having witnessed only a handful of legal cases in the EU;

8. Notes with concern that the enforcement of laws and, specifically, prosecution is a challenge in all Member States and countries of origin: invites the Commission therefore to facilitate targeted training for relevant actors on detection, investigation and prosecution of FGM; calls on the Member States to be more vigilant when it comes to detecting, investigating and prosecuting cases of FGM;
9. Observes that criminal law and targeted training must go hand in hand with the efforts to raise awareness in order to disincentivise practitioners from continuing the practice;

10. Recognises that an important difference between FGM and other forms of gender-based violence is the lack of bad intention behind the act, and stresses that, while this can in no way serve as a justification, it must be considered in strategies aimed at abandonment;

11. Deplores the rising medicalisation in certain countries and insists that this is an unacceptable answer to addressing the root causes, as already established by the UN and WHO; invites Member States to explicitly outlaw the medicalisation of FGM while raising awareness of medical staff about this problem;

12. Underlines that FGM is one of the most predictable forms of gender-based violence and invites the Commission and Member States to guarantee strong preventive action in refugee camps; calls on the Commission to further include prevention of FGM and other harmful practices within integration procedures and the Asylum, Migration and Integration Fund (AMIF) and to provide relevant information through the EU Asylum Agency;

13. Asks for the highest standards of protection for asylum seekers on grounds relating to FGM within the framework of the reform of the Common European Asylum System and the revision of the Asylum Directives, and through the role of the new EU Asylum Agency;

14. Looks forward to the establishment of the global network which will form connections between relevant actors from all parts of the world in order to bring ideas together and join forces; invites the Commission to provide support to this important network;

15. Calls on the Commission to respond to the calls by civil society for funding to be flexible enough that grassroots organisations which carry out their work in the community can apply for funding, that an array of girls' and women's rights issues can be addressed alongside FGM using a holistic approach, and that connections can be established between organisations working in the EU and those working in the practicing countries; welcomes in this respect the work of the End FGM European Network and its members, including through the Change Plus project, in training representatives of local communities to promote not only legislative change but also behaviour change in their communities;

16. Invites the Commission and Member States to keep data on the prevalence of FGM and its types, and to involve academia in the process of data collection, research and the education of future generations of professionals on FGM; recognises that the European Migration Network can play a role; considers that a joint research agenda on FGM would allow universities in practicing areas to connect with EU universities in order to organise exchange programmes, improve data collection and improve the capacities of future professionals in different sectors;

17. Invites the Commission and the Member States to include basic information on FGM and other practices harmful to a girl child in the educational programmes of those disciplines that play a key role in the prevention of FGM;

18. Stresses that, notwithstanding its local context, FGM should be seen in the context of gender-based violence and as a gender equality issue and should be tackled by a comprehensive approach so as to avoid the vilification of communities where it is practiced;

19. Emphasises that ensuring that all girls attend school, and developing the preconditions for the economic empowerment of women, are the first steps towards elevating the position of women in practicing communities;

20. Draws attention to the potential and power of various communication avenues such as art, literature, new and local media to bring messages closer to the people; emphasises the importance of involving boys and men in creating new narratives on gender equality and in combating existing power structures through networks, peer programmes, information campaigns and training programmes;
21. Invites the Commission to assist Member States and practicing countries in setting up networks and integrated strategies for the prevention of FGM, including the training of social workers, medical personnel, community and religious leaders, and police and justice officers; recognises that no religion advocates this practice;

22. Calls on the Commission to include the issue of FGM and other practices harmful to women and girls in its human rights dialogues and diplomatic outreaches; calls on the EEAS and on the Member States to step up cooperation with third countries to encourage them to adopt national laws banning FGM and to support law enforcement authorities in ensuring implementation;

23. Notes with appreciation that the Delegations and the EEAS are trained each year on FGM within a children's rights or gender training framework, and invites the Commission to make its tools such as the 'United to end FGM' toolkit for different sector professionals widely known and available to the target populations;

24. Instructs its President to forward this resolution to the Commission and the Council of the European Union.
Russia, the case of Oyub Titiev and the Human Rights Centre Memorial

European Parliament resolution of 8 February 2018 on Russia, the case of Oyub Titiev and the Human Rights Centre Memorial (2018/2560(RSP))

(2018/C 463/05)

The European Parliament,

— having regard to its previous resolutions on Russia, in particular its resolutions of 13 June 2013 on the rule of law in Russia (1), 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events (2), 23 October 2014 on the closing-down of the NGO 'Memorial' (winner of the 2009 Sakharov Prize) in Russia (3), of 12 March 2015 on the murder of the Russian opposition leader Boris Nemtsov and the state of democracy in Russia (4), of 24 November 2016 on case of Ildar Dadin, prisoner of conscience in Russia (5) and of 6 April 2017 on Russia, the arrest of Alexei Navalny and other protestors (6),

— having regard to the statement by the Chairs of Parliament's Committee on Foreign Affairs and Subcommittee on Human Rights of 12 January 2018 calling for the immediate release of human rights defender Oyub Titiev,

— having regard to Article 5 of the Universal Declaration of Human Rights and Article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and to which the Russian Federation is a party,

— having regard to the EU statement of 19 January 2018 on human rights violations concerning the Memorial Human Rights Centre in Russia and the statement by the EEAS Spokesperson of 11 January 2018 on the detention of the Director of the Memorial Human Rights Centre in the Chechen Republic, Mr Oyub Titiev,

— having regard to the visit by the Council of Europe's Committee for the Prevention of Torture to the Chechen Republic of the Russian Federation in November-December 2017,

— having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,

— having regard to the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998,

— having regard to the existing Agreement on partnership and cooperation (PCA) establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part and to the suspended negotiations for a new EU-Russia agreement,

— having regard to the seventh periodic report of the Russian Federation considered by the UN Human Rights Committee at its 3136th and 3137th meetings, held on 16 and 17 March 2015,

— having regard to the European Council Guidelines of 24 June 2013 to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons,

— having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

1 OJ C 65, 19.2.2016, p. 150.
6 Texts adopted, P8_TA(2017)0125
A. whereas the Russian Federation, as a full member of the Council of Europe and a signatory to the Universal Declaration of Human Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has committed itself to the principles of democracy, the rule of law and respect for fundamental freedoms and human rights; whereas Russia has the obligation and the means to investigate the crimes carried out by the Chechen authorities; whereas the Russian Federation has ratified 11 out of the 18 international human rights treaties;

B. whereas Oyub Titiev, the Chechenya office director at the 2009 Sakharov Prize-winning human rights organisation, the Memorial Human Rights Centre (commonly known as Memorial), was arrested on 9 January 2018 by Chechen police and charged with drug possession; whereas these charges have been denied by Mr Titiev and denounced as fabricated by NGOs and other human rights defenders;

C. whereas on 25 January 2018 the Supreme Court of the Chechen Republic upheld the decision of the Shalinsky City Court to remand Oyub Titiev in custody for two months;

D. whereas the criminal law of the Russian Federation has been amended and a new Article 212.1 has been introduced, under which a person may be charged in the event of violation of the law on public assemblies, notwithstanding the fact that this amendment restricts the freedom of speech and assembly;

E. whereas Russian authorities show a tendency towards disrespecting the right of free assembly and detained more than 1,000 demonstrating citizens in the City of Moscow alone and numerous more in several other cities of the Russian Federation after the peaceful demonstrations held on 26 March 2017;

F. whereas the number of political prisoners in the country has significantly increased in recent years, amounting to 102 persons in 2016, according to the Memorial Human Rights Centre;

G. whereas the NGO law of 2012 has severely restricted NGOs’ ability to work independently and to operate in an effective manner; whereas, under this law, Memorial has been designated a ‘foreign agent’ by the Russian Ministry of Justice;

H. whereas Yuri Dmitriev, a Memorial historian, was part of the team that found a mass grave of more than 9,000 people at Sandarmokh, many of them members of the Soviet intelligentsia; whereas, in recent years, Memorial has become the last remaining independent human rights organisation that continues to operate in the Republic of Chechnya; whereas it is very likely that the attacks on human rights defenders in the Chechen Republic, including the fabricated criminal charges against Oyub Titiev and arson attacks in neighbouring republics, were orchestrated in retaliation against Memorial for exposing and seeking justice for human rights violations in Chechnya;

I. whereas Parliament awarded the 2009 Sakharov Prize for Freedom of Thought to the Memorial human rights group;

J. whereas in the Economist Democracy Index 2017, Russia ranks 135th out of 167 countries, which marks a significant decline in comparison with the country's ranking as 102nd in 2006;

K. whereas there is a high level of concern regarding the human rights abuses of LGBTI people in Chechnya; whereas the Russian Federation is a signatory to several international human rights treaties and, as member of the Council of Europe, to the European Convention on Human Rights, and thus has the duty to ensure the safety of all persons who may be at risk; whereas the EU has repeatedly offered additional assistance and expertise to help Russia to modernise and abide by its constitutional and legal order, in line with Council of Europe standards; whereas Russia has the obligation and the means to investigate the crimes carried out by the Chechen authorities; whereas homosexuality was decriminalised in the Russian Federation in 1993;
1. Calls for the immediate release of the Director of the Memorial Human Rights Centre in the Chechen Republic, Mr Oyub Titiev, who was detained on 9 January 2018 and then officially indicted and remanded on trumped-up charges of illegal acquisition and possession of narcotics; urges the Russian authorities to ensure full respect for Mr Titiev’s human and legal rights, including access to a lawyer and medical care, physical integrity and dignity, and protection from judicial harassment, criminalisation and arbitrary arrest;

2. Deplores the statement by the Chechen authorities accusing the work of human rights defenders and organisations; notes with concern that the arrest comes shortly after public remarks by Mr Magomed Daudov, speaker of the Chechen parliament, who appears to condone violence against human rights defenders;

3. Is of the opinion that the arrest of Mr Titiev is part of a worrying trend of arrests, attacks, intimidations and discreditations of independent journalists and human rights defenders working in Chechnya; points out that other cases that form part of this worrying trend include the arrests of the chair of the Assembly of the Peoples of the Caucasus, Ruslan Kutaev, and the journalist Zhalaudi Geriev, who were both sentenced on dubious grounds relating to drugs in 2014 and 2016, respectively;

4. Expresses its deep concern over the fact that no one has yet been brought to justice for the murder of Mr Oyub Titiev’s Memorial predecessor and human rights activist in Chechnya, Ms Natalia Estemirova, who was abducted from outside her home in Grozny in July 2009 and was found shot dead later the same day near the village of Gazi-Yurt in neighbouring Ingushetia; urges the Russian authorities to pursue genuine investigations into this crime; recalls, in this regard, that yet another human rights lawyer and activist, Stanislav Markelov, known for his work on Chechenya abuses, was shot dead in central Moscow in 2009;

5. Urges the Russian authorities to put an immediate end to the worrying trend of arrests, attacks, intimidations and discreditations of independent journalists and human rights defenders working in that region of the Russian Federation, in breach of their right to free expression; condemns attacks on human rights defenders by the Chechen authorities, and urges Moscow to put an end to these attacks and to foster a normal working climate for human rights defenders and organisations in Chechnya and other parts of the Russian Federation;

6. Expresses deep concern at the worsening conditions for critical civil society in Russia, in particular those organisations that work on human rights and democratic freedoms and express criticism of state policies in this regard; underlines that Memorial, the 2009 Sakharov Prize winner, remains one of the most authoritative voices on human rights in Russia today, and has become the last remaining independent human rights organisation to continue to operate in the Republic of Chechnya, and expresses its solidarity and strong support for its dedicated work;

7. Calls on the Russian authorities to protect all Russian citizens from unlawful abuse; calls on the Russian authorities to put an immediate end to the crackdown on free expression in Chechnya, and to provide effective security guarantees to victims and witnesses of abuses and bring perpetrators of abuses to justice; underlines that Russia and its government carries the ultimate responsibility for investigating these acts, for bringing perpetrators to justice and for protecting all Russian citizens from unlawful abuse;

8. Points out that yet another sign of the persecution and harassment suffered by human rights organisations in the North Caucasus region was the arson attack on 17 January 2018 against the offices of Memorial in the neighbouring Republic of Ingushetia, and the attack on 22 January 2018 when unknown arsonists set fire on a car belonging to Memorial’s local office in Dagestan; condemns these attacks and urges the Russian authorities to investigate effectively these and other attacks against Memorial’s property, and threats against its staff, and to ensure that those responsible are held to account;

9. Calls on the Russian authorities, as a matter of urgency, to conduct immediate, independent, objective and thorough investigations into the deplorable developments in Chechenia; calls on the Chechen authorities, and those of the Russian Federation, to abide by domestic legislation and international commitments, to uphold the rule of law and universal human rights standards and to ensure the safety and democratic freedoms of all persons who may be at risk;
10. Takes note of the request by Memorial to investigate Titiev’s case outside of Chechnya;

11. Condemns the attacks against other civil society groups and NGOs in Chechnya, including the attacks and smear campaign against the Joint Mobile Group of Human Rights Defenders in Chechnya (JMG), which led to the group’s withdrawal from Chechnya for security reasons in 2016;

12. Expresses its deep concern over the reports of arbitrary detention and torture of people perceived to be LGBTI in the Republic of Chechnya; calls on the authorities to end this campaign of persecution and to allow international human rights organisations to conduct a credible investigation into the alleged crimes; condemns also the killing of individuals by family members in so called ‘honour killings’ and deplores the Chechen authorities’ support for, and encouragement of, these crimes;

13. Calls on the Commission, the EEAS and the Member States to assist those who have fled Chechnya and to bring this campaign of abuse into the open; welcomes the fact that a number of Member States have granted asylum to such victims, and calls on all Member States to continue or step up asylum request procedures for victims, journalists and human rights defenders, in accordance with European and national law;

14. Calls on the Vice-President of the Commission / High Representative of the European Union for Foreign Affairs and Security Policy, and on the EEAS, to ensure that all cases of persons prosecuted for political reasons are raised in EU-Russia human rights consultations, when resumed, and that Russia’s representatives in these consultations are formally requested to respond in each case and to report back to Parliament on their exchanges with the Russian authorities;

15. 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 governments and parliaments of the Member States, the Council of Europe, the Organisation for Security and Cooperation in Europe, the President, Government and Parliament of the Russian Federation, and the Chechen authorities.
Executions in Egypt

European Parliament resolution of 8 February 2018 on executions in Egypt (2018/2561(RSP))
(2018/C 463/06)

The European Parliament,

— having regard to its previous resolutions on Egypt, in particular that of 10 March 2016 on Egypt, notably the case of Giulio Regeni (1), that of 17 December 2015 on Ibrahim Halawa, potentially facing the death penalty (2) and that of 15 January 2015 on the situation in Egypt (3); to its resolutions of 16 February 2017 on executions in Kuwait and Bahrain (4) and of 8 October 2015 on the death penalty (5); and to its resolution of 7 October 2010 on the World day against the death penalty (6),

— having regard to the EU Guidelines on the Death Penalty, on Torture, on Freedom of Expression and on Human Rights Defenders,

— having regard to the EU Foreign Affairs Council conclusions on Egypt of August 2013 and February 2014,

— having regard to the EU-Egypt Association Agreement of 2001, which entered into force in 2004, strengthened by the Action Plan of 2007; having regard also to the EU-Egypt Partnership Priorities 2017-2020, adopted on 25 July 2017, and to the joint statement issued following the EU-Egypt Association Council,

— having regard to the joint declaration of 10 October 2017 by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, (VP/HR), Federica Mogherini, and the Secretary-General of the Council of Europe on the European and World Day against the Death Penalty,

— having regard to the joint statement of 26 January 2018 by UN experts including Nils Melzer, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, urging the Egyptian authorities to halt imminent executions,

— having regard to the Constitution of Egypt, and notably Article 93 thereof (the binding character of international human rights law),

— having regard to the United Nations Safeguards Guaranteeing Protection of the Rights of those facing the Death Penalty,

— having regard to the African Principles and Guidelines on the Right to a Fair Trial and Legal Assistance, which prohibit military trials of civilians under all circumstances,

— having regard to the final declaration adopted by the 6th World Congress against the Death Penalty, held in Oslo from 21 to 23 June 2016,

— having regard to the new EU Strategic Framework and Action Plan on Human Rights, which aims to place the protection and surveillance of human rights at the heart of all EU policies,

(2) OJ C 399, 24.11.2017, p. 130.
(3) OJ C 300, 18.8.2016, p. 34.
— having regard to Article 2 of the European Convention on Human Rights and to Protocols 6 and 13 thereto,

— having regard to the six resolutions of the UN General Assembly in favour of adopting a moratorium on the death penalty,

— having regard to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the Arab Charter on Human Rights, which have been ratified by Egypt,

— having regard to the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is party, and in particular to its Article 18 and the second optional protocol on the death penalty, as well as its Article 14,

— having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas the death penalty is the ultimate inhuman and degrading punishment, which violates the right to life as enshrined in the Universal Declaration of Human Rights; whereas the European Union has a strong and principled position against the death penalty and in favour of a universal moratorium on capital punishment with a view to its global abolition, as one of the key objectives of its human rights policy;

B. whereas since January 2014 at least 2,116 individuals have reportedly been sentenced to death in Egypt; whereas no death sentences were approved under former Presidents Mohamed Morsi and Adli Mansour; whereas at least 81 executions have been carried out since 1 January 2014;

C. whereas, reportedly, in 2017 Egyptian courts handed down at least 186 death sentences and 16 people were executed; whereas in recent weeks and since the end of December 2017 there has been an alarming increase; whereas all recent executions were carried out without prior notification of the victims or their families; whereas 24 other Egyptians currently appear to be in danger of imminent execution, having exhausted all appeal processes;

D. whereas at least 891 people are currently on trial or awaiting trial in Egypt on charges that could carry a death sentence; whereas at least 38 individuals who were under the age of 18 at the time of their alleged offences have been tried alongside adult co-defendants on charges that carry the death penalty; whereas courts have recommended initial death sentences for at least seven such individuals; whereas the imposition and execution of the death penalty against persons who were aged under 18 when the crime was committed is a violation of international law, including the UN Convention on the Rights of the Child, as well as Article 111 of Egypt’s Child Law; whereas Egypt is a party to numerous international conventions on political and civil rights, torture, the rights of children and juveniles, and justice;

E. whereas the Military Code has a larger number of offences punishable by death than its civilian counterpart, and Egyptian legislation has gradually expanded military jurisdiction; whereas the number of civilians sentenced to death in Egypt’s military courts leapt from 60 in 2016 to at least 112 in 2017; whereas at least 23 Egyptians were executed in recent months, including 22 civilians sentenced by military courts that are far from meeting standards for a fair trial; whereas in total, at least 15,000 civilians, including dozens of children, were reportedly referred to military prosecutors between October 2014 and September 2017;

F. whereas reportedly a worrying number of the testimonies and confessions used in trials, including military trials, were obtained after the accused were reportedly forcibly disappeared and tortured or ill-treated; whereas the fight against torture is a long-standing human rights priority of the EU and a common objective for the UN Convention Against Torture, which has been signed by Egypt;
G. whereas all recent and imminent executions are reportedly the result of trials that failed to uphold fair trial and due process rights; whereas the UN Safeguards Guaranteeing Protection of the Rights of those facing the Death Penalty strictly prohibit the application of the death penalty following unfair trials; whereas multiple UN human rights experts have repeatedly called on Egypt to halt all pending executions following allegations of unfair trials;

H. whereas it is important that all necessary measures are taken to ensure that trials take place under conditions which genuinely afford the full guarantees stipulated in Article 14 of the International Covenant on Civil and Political Rights, to which Egypt is a State party; whereas in cases of capital punishment trials must meet the highest standards of fairness and due process;

I. whereas on 29 November 2017 the African Commission on Human and Peoples’ Rights urged the Egyptian government to immediately suspend death sentences in five different cases; whereas, nonetheless, the defendants in one of these, the Kafr el-Sheikh case, were executed on 2 January 2018;

J. whereas Egypt has gone through several difficult challenges since the 2011 revolution and the international community is supporting the country in addressing its economic, political and security challenges;

K. whereas serious security challenges exist within Egypt, particularly in Sinai, where terrorist groups have staged attacks on security forces; whereas a number of devastating terrorist attacks have occurred within Egypt, including the recent attack on a Sufi mosque that killed 311 civilians and injured at least 128 others; whereas on 9 April 2017 twin suicide bombings took place at St. George’s church in Tanta and St. Mark’s Coptic Orthodox cathedral, killing at least 47 people;

L. whereas there has been an ongoing state of emergency in Egypt, in place since April 2017 and extended for three months from 13 January 2018, introduced, according to the state media, to help tackle the ‘dangers and funding of terrorism’ and undermining fundamental freedoms and granting the President and those acting on his behalf the power to refer civilians to State Security Emergency Courts for the duration of the three-month period;

M. whereas the overall human rights situation continues to deteriorate in Egypt; whereas the crackdown on terrorism has been used as justification by the Egyptian authorities to conduct a large-scale repression;

N. whereas the Counter-terrorism Law enacted in 2015 imposes the death penalty on anyone found guilty of setting up or leading a terrorist group, under a broad definition of terrorism that includes ‘infringing the public order, endangering the safety, interests, or security of society, obstructing provisions of the constitution and law, or harming national unity, social peace, or national security’, and thus putting any civilian, including human rights defenders, at risk of being labelled a terrorist and being sentenced to death;

O. whereas Egyptian human rights defenders documenting and denouncing death sentences, torture and enforced disappearance have been subject to targeted repressive measures, such as the closure of the El Nadeem Centre in 2017 and the attempt by the Egyptian authorities to shut down the Cairo office of the Egyptian Commission for Rights and Freedoms (ECRF); whereas Egypt opened a legal front against NGOs last year with a law requiring state security agencies to approve their funding, foreign or domestic, thus virtually banning them; whereas on 5 April 2018 Egypt’s highest court of appeal will rule on the so-called ‘foreign funding’ case involving international NGOs;

P. whereas the new 2017-2020 EU-Egypt Partnership Priorities adopted in July 2017 are guided by a shared commitment to the universal values of democracy, the rule of law and respect for human rights, and constitute a renewed framework for political engagement and enhanced cooperation, including on security, judicial reform and counter-terrorism, on a basis of due respect for human rights and fundamental freedoms; whereas the Subcommittee on Political Matters, Human Rights and Democracy of the Association Agreement between Egypt and the European Union held its fifth session in Cairo on 10 and 11 January 2018, addressing cooperation in the areas of human rights, democracy and the rule of law;
Q. whereas the EU is Egypt's first economic partner and its main source of foreign investment; whereas EU bilateral assistance to Egypt under the European Neighbourhood Instrument for 2017-2020 amounts to around EUR 500 million; whereas on 21 August 2013 the Foreign Affairs Council tasked the High Representative to review EU assistance to Egypt; whereas the Council decided that the EU's cooperation with Egypt would be readjusted in accordance with developments on the ground;

R. whereas companies based in several EU Member States have continued to export surveillance and military equipment to Egypt;

1. Strongly condemns the use of capital punishment, and calls for a halt to any imminent executions in Egypt; strongly supports an immediate moratorium on the death penalty in Egypt as a step towards abolition; in this sense, condemns all executions wherever they take place and emphasises once again that the abolition of the death penalty contributes to the enhancement of human dignity as established in the EU's human rights policy priorities; calls on the Egyptian authorities to review all pending death sentences in order to ensure that those convicted in flawed trials will have a fair retrial; recalls that despite security challenges in Egypt, executions should not be used as a means to combat terrorism;

2. Calls on the Egyptian Parliament to review Egypt's Criminal Code, Code of Criminal Procedure, counter-terrorism legislation and Military Code, and calls on the government to review the relevant decrees so as to ensure that civilians accused of crimes punishable by death are not referred to exceptional or military courts on any grounds, since such courts do not meet the fair trial standards endorsed by Egypt in its international rights commitments and guaranteed in its Constitution; calls on the Egyptian authorities to cease trying civilians in military courts;

3. Urges the Egyptian authorities to ensure the physical and psychological safety of all accused persons while imprisoned; denounces the use of torture or ill-treatment; calls on the Egyptian authorities to ensure that those detained receive all medical attention that they may require; calls on the EU to implement in full its export controls vis-à-vis Egypt, in particular with regard to goods that could be used for torture or capital punishment;

4. Encourages Egypt to sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty, and the UN International Convention for the Protection of All Persons from Enforced Disappearance; encourages the Egyptian government to issue an open invitation to the relevant UN Special Rapporteurs to visit the country;

5. Expresses its serious concern at the mass trials by Egyptian courts and the large number of death sentences handed down by them; calls on the Egyptian judicial authorities to uphold and respect the International Covenant on Civil and Political Rights, to which Egypt is a party, and notably Article 14 thereof on the right to a fair and timely trial based on clear charges and ensuring the respect of the defendants’ rights;

6. Calls on the VP/HR to condemn the alarming number of recent executions in Egypt, and urges the European External Action Service (EEAS) and the Member States to continue to fight the use of the death penalty; urges the EEAS to address recent developments in Egypt, and to use all means of influence at its disposal to stop imminent executions and encourage the Egyptian authorities to respect their commitments to international norms and laws;

7. Urges the VP/HR and the Member States to ensure that human rights are not undermined by migration management or counter-terrorism actions under the EU-Egypt Partnership Priorities; underlines the importance that the EU attaches to its cooperation with Egypt as an important neighbour and partner; strongly urges Egypt to respect its commitment made in the EU-Egypt Partnership Priorities adopted on 27 July 2017 to promote democracy, fundamental freedoms and human rights, in line with its Constitution and international standards;

8. Condemns the terrorist attacks in Egypt; extends its most sincere condolences to the families of the victims of terrorism; stands in solidarity with the Egyptian people, and reaffirms its commitment to fighting the spread of radical ideologies and terrorist groups;
9. Reminds the Egyptian Government that the long-term prosperity of Egypt and its people goes hand in hand with the protection of universal human rights and the establishment and anchorage of democratic and transparent institutions that are engaged in protecting citizens' fundamental rights;

10. Supports the aspirations of the majority of Egyptian people who want to establish a free, stable, prosperous, inclusive, and democratic country which respects its national and international commitments on human rights and fundamental freedoms;

11. Expresses its grave concern at the ongoing restrictions on fundamental democratic rights, notably freedom of expression, association and assembly, political pluralism and the rule of law in Egypt; calls for an end to all acts of violence, incitement, hate speech, harassment, intimidation, enforced disappearances or censorship directed at political opponents, protesters, journalists, bloggers, students, women's rights activists, civil society actors, LGBTI people, NGOs and minorities, including Nubians, by state authorities, security forces and services and other groups in Egypt; condemns the excessive use of violence against protesters; calls for the immediate and unconditional release of all those detained for peacefully exercising their rights to freedom of expression, assembly and association, and calls for an independent and transparent investigation into all human rights violations;

12. Recalls its continued outrage at the torture and killing of the Italian researcher Giulio Regeni, and denounces, once again, the lack of progress in the investigation into this brutal murder; stresses that it will continue to press the European authorities to engage with their Egyptian counterparts until the truth is established on this case and the perpetrators are held accountable;

13. Urges President Sisi and his government to fulfil their commitment to genuine political reform and respect for human rights; emphasises that credible and transparent elections are essential for a democracy, as guaranteed by the 2014 Constitution and in accordance with Egypt's international commitments;

14. Calls on the EU and its Member States to take a clear, strong and unified position on Egypt in the upcoming sessions of the UN Human Rights Council and for as long as the country fails to show meaningful improvements in its human rights record;

15. 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 parliaments and governments of the Member States, and the Government and Parliament of Egypt.
Child slavery in Haiti

European Parliament resolution of 8 February 2018 on child slavery in Haiti (2018/2562(RSP))

(2018/C 463/07)

The European Parliament,

— having regard to its previous resolutions on Haiti,

— having regard to the Joint Statement of 12 June 2017 on the occasion of the World Day Against Child Labour by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Commissioner for Development,

— having regard to the UN Human Rights Council annual report which highlights human rights advances and challenges in Haiti in 2017,

— having regard to the ACP-EU migration action study of 20 July 2017 on the trafficking of human beings in Haiti,

— having regard to Haiti’s implementation report considered by the UN Committee on the Rights of the Child on 15 January 2016,

— having regard to the UNHCR Universal Periodic Review of Haiti of 31 October-11 November 2016,

— having regard to the UN Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,

— having regard to the International Convention for the Protection of All Persons from Enforced Disappearance,

— having regard to the Rome Statute of the International Criminal Court,

— having regard to the UN Convention on the Rights of the Child,

— having regard to the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, in particular article 1(d) thereof, of 7 September 1956,

— having regard to International Labour Organisation (ILO) Convention 182 on the worst forms of child labour and ILO Convention 138 on the minimum age for employment,

— having regard to the 34th session of the ACP-EU Joint Parliamentary Assembly of December 2017 in Port-au-Prince, Haiti,

— having regard to the Cotonou Agreement,

— having regard to the UN Sustainable Development Goals,

— having regard to the UN Declaration of Human Rights,

— having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas Haiti is one of the world’s poorest countries with severe corruption, poor infrastructure, lack of healthcare, low levels of education and historical political instability being the main sources of its crippling poverty;
B. whereas the use of children as domestic workers, often referred to by the creole term ‘Restavek’, is systematic throughout Haiti and exists mainly due to the harsh economic conditions and cultural attitudes towards children;

C. whereas Restavek is a form of domestic trafficking and modern-day slavery affecting approximately 400,000 children in Haiti, 60% of whom are girls; whereas many Haitian children do not have birth certificates and are at risk of trafficking and abuse; whereas, according to UNICEF, exposure of children to violence and abuse, including corporal punishment and gender-based violence, is a substantial problem; whereas one in four women and one in five men are victims of sexual abuse before the age of 18; whereas 85% of children aged 2 to 14 are victims of violent discipline at home, 79% are victims of corporal punishment and 16% suffer from extreme corporal punishment; whereas an estimated 30,000 children live in approximately 750 mostly privately-run and financed orphanages;

D. whereas the Restavek children are typically born into poor rural families who have few or no means of raising income and will sell a child to another family in exchange for food or money;

E. whereas the Government of Haiti has made some efforts to address the exploitation of Restavek children, such as the adoption of a comprehensive law to combat human trafficking, measures to identify and assist children in domestic servitude, and awareness raising; whereas it is the obligation of the state to support parents so that they can fulfil their responsibilities;

F. whereas many Haitian children receive insufficient education and schooling; whereas according to UNICEF 18% of children aged 6 to 11 in Haiti do not attend primary school; whereas approximately one-half of all Haitians aged 15 and over are illiterate, as 85% of schools are run by private entities and are prohibitively expensive for low-income families; whereas Hurricane Matthew significantly impacted access to education, damaging 1,633 out of 1,991 schools in the hardest-hit areas;

G. whereas more than 175,000 people, including tens of thousands of children, displaced in the aftermath of Hurricane Matthew in October 2016, are still living in extremely precarious and unsafe conditions; whereas the 2010 earthquake claimed more than 220,000 lives and displaced some 800,000 children, resulting in many being forced into slavery;

H. whereas Haiti is a source, transit and destination country for forced labour and the trafficking of children; whereas the Restavek phenomenon also has an international dimension, with many Haitian children being trafficked to the neighbouring Dominican Republic;

I. whereas the recent electoral and political impasse following the 2016 presidential election severely hampered Haiti’s ability to pass key items of legislation and a national budget to tackle urgent social and economic challenges;

J. whereas impunity in Haiti has been fuelled by a lack of accountability of officials, and in particular the lack of systematic investigations into the use of force and widespread illegal or arbitrary arrests by the police; whereas Haiti ranks 159th out of 176 countries in Transparency International’s corruption index;

K. whereas Haiti is ranked 163rd in the UNDP Human Development Index and is in continuous need of humanitarian and development aid;

L. whereas in September 2017 the Haitian parliament approved a national budget for the year 2018 that raises taxes disproportionately from an already impoverished population, which led to violent demonstrations and riots in the capital, Port-au-Prince; whereas the Minister for the Economy and Finances, Mr Patrick Salomon, presented a budget which, for instance, prioritises the cleaning of government institutions over public health programmes;
M. whereas the EU has allocated EUR 420 million to Haiti under the 11th European Development Fund, with particular emphasis being placed on child nutrition and on education to support child development;

N. whereas in 2017 the EU launched a call for proposals under the French title of ‘La promotion des droits des enfants et la protection des enfants victimes d’exploitation, discrimination, violence et abandon’ whose main priority was to return imprisoned children to their biological families or to place them in care families;

1. Deplores the fact that large numbers of children in Haiti are forcibly removed from their families as part of the Restavek phenomenon and are subjected to forced labour; calls for an end to this practice;

2. Expresses grave concern about the continuing human rights violations, including gender-based violence, illegal detentions and the practice of keeping children enslaved as Restaveks in Haiti; calls on the Haitian Government to prioritise legislative measures, namely a reform of the Criminal Code, to combat such issues, whilst re-establishing key institutions in the country which have stalled as a result of the recent political impasse, in order to deliver on urgent reforms;

3. Calls on the Government of Haiti to urgently implement measures to address the vulnerabilities that lead to child domestic servitude, including protecting children who are victims of neglect, abuse, violence and child labour;

4. Calls for the EU and its Member States to further help Haiti implement measures that protect children, including programmes and partnerships aimed at combating violence, abuse and child exploitation; calls on the Government of Haiti to prioritise and establish sufficiently resourced procedures to end the Restavek practice, including the training of social services to help place Restavek children away from abusive families and provide rehabilitation to meet their physical and psychological needs;

5. Calls on the Haitian Government to put in place an administrative system which guarantees that all newborn children are registered at birth, as well as measures to register those who were not registered at birth and to register where they reside;

6. Encourages the Haitian authorities and donors to shift major resources currently spent on expensive but poor quality orphanage institutions to community-based services that strengthen the abilities of families and communities to care adequately for their own children;

7. Calls on the Government of Haiti and on the remaining EU Member States, where applicable, to ratify without reservation the following conventions which are essential in the fight against child trafficking and slavery:

   — Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures,

   — International Convention for the Protection of All Persons from Enforced Disappearance,

   — Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

   — Rome Statute;

8. Calls for EU development assistance to pay particular attention to assisting with urgent reform of the judicial system and the training of prosecutors and judges in the handling of cases of rape and sexual violence, ensuring that the police and judiciary are trained to deal impartially with women and girls reporting gender-based violence;
9. Notes that the Haitian parliament passed an annual budget in September 2017; underlines the recent progress made with regard to the right to education, in particular through the Universal, Free and Compulsory Education Programme, which requires both a system of effective monitoring and enforcement and a sustained financial effort both from the Haitian national budget and EU development assistance; calls for greater attention to be given to the well-being and rehabilitation of Restavek children, including the most disadvantaged, the disabled, those with learning difficulties and those in rural areas, within the framework of the next EDF and Haiti’s National Indicative Programme, including through a regular joint progress report on measures taken and their effectiveness in combatting the Restavek phenomenon;

10. Expects the EU and its Member States, which have pledged assistance to Haiti after Hurricane Matthew, to honour their pledges and help the country to overcome its long-term challenges;

11. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the ACP-EU Council of Ministers, the institutions of the Cariforum, the Governments and Parliaments of Haiti and the Dominican Republic and the Secretary-General of the United Nations.

(2018/C 463/08)

The European Parliament,

— having regard to Articles 15, 126, 175, 177, 208, 209, 271, 308 and 309 of the Treaty on the Functioning of the European Union (TFEU) and to Protocol No 5 on the statute of the European Investment Bank (EIB),

— having regard to the EIB Group Operational Plan for 2017-2019, published on the EIB website,

— having regard to the 2016 Activity Report of the EIB,

— having regard to the 2016 Financial Report and the 2016 Statistical Report of the EIB,

— having regard to the Evaluation of the Functioning of the European Fund for Strategic Investments (EFSI) of the EIB of September 2016,


— having regard to Regulation (EU) 2017/2396 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub (2),

— having regard to the proposal for a decision of the European Parliament and of the Council amending Decision No 466/2014/EU granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union (COM(2016)0583),


— having regard to the EIB Economic Resilience Initiative,


— having regard to the first EFSD Strategic Board meeting held in Brussels on 28 September 2017,

— having regard to the Social Summit for Fair Jobs and Growth held in Gothenburg on 17 November 2017 and to the European Pillar of Social Rights,

(2) OJ L 345, 27.12.2017, p. 34.
having regard to the EIB Group Strategy on Gender Equality and Women’s Economic Empowerment,

— having regard to the report on the implementation of the EIB’s Transparency Policy in 2015 and the EIB’s 2016 Corporate Governance Report,

— having regard to the EIB Environmental and Social Handbook,

— having regard to the ongoing revision of the EIB Complaints Mechanism — Principles, Terms of Reference and Rules of Procedure of 2010,

— having regard to the EIB policy towards weakly regulated, non-transparent and uncooperative jurisdictions (NCJ Policy) of 15 December 2010 and the addendum thereto of 8 April 2014,

— having regard to the EIB’s approval of the ratification of the Paris Agreement by the EU of 4 October 2016,

— having regard to the 2030 Agenda for Sustainable Development and the UN Sustainable Development Goals,

— having regard to President Juncker’s State of the Union speech delivered on 13 September 2017 at Parliament’s plenary session in Strasbourg,

— having regard to Article 3 of the Treaty on European Union (TEU),

— having regard to Rule 52 of its Rules of Procedure,

— having regard to the report of the Committee on Budgets and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Regional Development (A8-0013/2018),

A. whereas the European Investment Bank (EIB) is considered to be the ‘financial arm of the EU’ and the key institution in sustaining public and private investments within the EU, while also playing an important role outside the EU through its external lending activities;

B. whereas the EIB Group financial activities include both lending own resources and fulfilling the various mandates granted to it with the support of the EU budget and third parties such as the EU Member States;

C. whereas continuous attention should be focused on the development of best practices related to the EIB Group’s performance policy and management, governance and transparency;

D. whereas the EIB maintained a solid financial standing in 2016 in accordance with the forecast for that year, with a net annual surplus of EUR 2.8 billion;

E. whereas the EIB should continue to strengthen its efforts to expand its loan activities effectively by providing technical assistance and advisory support, especially in regions with low levels of investment, in order to address regional discrepancies, while reducing administrative burdens for applicants;

F. whereas the EIB, as the institution responsible for the management of the European Fund for Strategic Investments (EFSI), should maintain the pursuit of a high-quality, geographically balanced asset portfolio, with long-term economic benefits that generate quality jobs, and should make this its main priority across the whole EU territory;

G. whereas the European Investment Fund (EIF) should play a key role in complementing the EIB’s interventions, as the EU’s specialist vehicle for venture capital and guarantees aimed primarily at supporting SMEs and thus leading to further European integration and economic, social and territorial cohesion;

H. whereas safeguards against fraud, including tax fraud and money laundering, and risks of financing terrorism are contained in the EIB Group contractual provisions included in the contracts signed by the EIB Group and its counterparties; whereas the EIB Group should require that its counterparties comply with all applicable legislation; whereas additional contractual provisions addressing specific transparency and integrity issues should be imposed by the EIB Group on the basis of due diligence results;
Global challenges and main policies

1. Stresses that the economic crisis has significantly weakened economic growth in the EU and that one of the main fallouts is the decline in investment in the EU; underlines that the fall in public and private investment has reached alarming levels in the countries most affected by the crisis, as evidenced by Eurostat's findings; expresses concern about macroeconomic imbalances and unemployment rates that remain significant in some Member States;

2. Expects the EIB to continue to work with the Commission and the Member States to address systemic shortcomings that prevent certain regions or countries from taking full advantage of the EIB's financial activities;

3. Welcomes the EIB Group's willingness to enhance EU competitiveness, provide real support for growth and job creation, and contribute to solving socio-economic challenges within and outside the EU, by pursuing its overarching public policy goals relating to innovation, SMEs and midcap finance, infrastructure, the environment, economic and social cohesion, and the climate; recalls that these objectives also necessitate the provision of public goods; insists that, in order to achieve the Europe 2020 strategy objectives successfully, all EIB Group activities should not only be economically sustainable, but also contribute to a smarter, greener and more inclusive EU; calls on the EIB, in this regard, to work with small market participants and community cooperatives to undertake bundling of small-scale renewable energy projects to enable them to be eligible for EIB funding; emphasises the need for coherence between the instruments necessary to reach these objectives;

4. Welcomes, in this regard, the Commission's work strand of combining different financing sources, including the EFSI, centrally managed EU-level financial instruments and the European Structural and Investment (ESI) fund programme resources, as well as the resources of the Member States and national promotional banks and institutions (NPBIs), which has enabled risky projects and projects with limited access to finance to be serviced to the benefit of SMEs;

5. Welcomes the fact that the EIB has affirmed its commitment to supporting the fulfilment of the Paris Agreement; believes that the review of the EIB's energy lending criteria foreseen for 2018 will be an opportunity for the bank to take stock of the support it gives to the fossil fuels sector and for it to publish the relevant and related comprehensive data; urges the bank, in this context, to publish the concrete action plans deriving from its 2015 Climate Strategy and to align its portfolio with the global average temperature increase target of 1.5 degrees in line with the Paris Agreement, through the swift and complete phasing-out of fossil fuel projects and the prioritisation of energy efficiency and renewable projects; welcomes the Council conclusions of 10 October 2017 on climate finance (1) and highlights the importance of sufficient financing being available for sustainable green investments, including for bio-based industries (2); calls on the EIB to continue financial support for sustainable, local energy sources in order to overcome Europe's high level of external energy dependency and ensure security of supply; invites the EIB to consider adopting the OECD Rio climate markers used for tracking and monitoring climate expenditures from the ESI funds in order to better take into account the EIB activities related to cohesion policy in the assessment of the role of ESI funds in tackling climate change;

(2) For example, sound, well-rated projects that do not receive funding from the Bio-Based Industries Joint Undertaking.
6. Points out that the EIB has had very mixed results on climate action, despite meeting its 25% target by a slender margin overall; is concerned that in 16 Member States, EIB support for climate action did not even reach 20% and that climate action investment in 2016 was predominantly located in the EU’s stronger economies, with 70% of EFSI support for renewable energy concentrated in just one country — Belgium — and 80% of energy efficiency investment through the EFSI allocated to France, Finland and Germany;

7. Welcomes the fact that the EIB has responded to the crisis by expanding its activities significantly, including in the countries worst affected; calls on the EIB to further support EU countries in order to contribute to their economic recovery;

8. Recalls the urgent need for clarification on the impact of Brexit on the EIB’s current budget and its activities in order for the institution to continue to be able to perform its role; notes that the UK provided 16.11% of the EIB’s capital, accounting for EUR 3.5 billion of the paid-in capital and EUR 35.7 billion of the bank’s callable capital; stresses the importance of clarifying the amount of the UK contribution to the EIB budget as well as the UK’s future economic participation; calls for Member States to make sure that the departure of the UK does not result in a loss of the EIB’s ability to support the EU economy; underlines in this respect the need to establish legal certainty as soon as possible in the matter of ongoing projects co-financed by the EIB in the UK; believes that, while the UK, in terms of investment, should be treated as any other Member State prior to its formal departure from the Union, the EIB is right to condition investment on assurances that investment eligibility criteria, notably on environmental standards, will be met for the full duration of such investments;

9. Stresses the importance of the EIB’s financing activities in the eastern and southern neighbourhood in supporting those countries which are implementing difficult economic and democratic reforms on their path towards the EU; recalls that the main financing activities should also aim to address both urgent needs and longer-term challenges, such as rebuilding infrastructure, ensuring adequate housing and emergency response infrastructure and combating youth unemployment; stresses the need for the EIB to conduct external operations so that its activities focus specifically on areas of high importance for the EU; highlights, in this respect, the expansion of the EIB’s External Lending Mandate (ELM) to step up activities in the southern neighbourhood, the Mediterranean region, Latin America and Asia; highlights, furthermore, the great potential for EIB operations to improve the economic situation in regions of key geopolitical relevance, in particular in Ukraine, which is facing great economic stress due to the ongoing armed conflict in Eastern Ukraine;

10. Considers that the EIB, as the ‘EU bank’ incorporated and governed by the Treaties and the relevant Protocol annexed thereto, must live up to this unique status, which brings with it unique rights and responsibilities; observes that the EIB plays a key role in implementing an ever greater number of financial instruments leveraging EU budgetary funds;

11. Notes that according to the Operational Plan 2017-2019, the value of the EIB loans signed is forecast to rise once again in 2019 (to EUR 76 billion, following a fall from EUR 77 billion in 2014 to EUR 73 billion in 2016); points out that the current context should encourage the bank to adopt more ambitious objectives and to increase the loans signed by the EIB; recalls that the EIB should play a fundamental role in the implementation of the Europe 2020 strategy through instruments such as Horizon 2020 and the Connecting Europe Facility;

12. Welcomes the EIB’s commitment to tackling the root causes of migration and to taking action in countries particularly affected by the migration crisis, including by strengthening and complementing humanitarian action and providing support for economic growth, development and the investments needed in both urban, health and educational and social, modern and sustainable infrastructure, stimulating economic activities for job creation and promoting cross-border cooperation between Member States and third countries; expects the EIB Group, to this end, to step up its efforts in coordinating its Economic Resilience Initiative and the revised ELM with the European Fund for Sustainable Development (EFSI); calls for an increase in financial assistance for projects that would help mitigate the economic costs associated with the migration crisis while having a positive impact on citizens, refugees and other migrants in Member States that receive the largest inflows of refugees and migrants;
13. Welcomes, in this regard, the EIB’s Crisis Response and Resilience Initiative, which aims to increase the amount of aid granted to countries in Europe’s southern neighbourhood and the Balkans by EUR 6 billion; calls for this initiative to generate genuine additionality as regards current EIB activities in the region:

14. Takes note of the EIB’s proposal to set up, within the Group, a subsidiary — by using the EIF as a model — dedicated to financing outside Europe; expects to be informed of any developments on this matter in a timely manner:

15. Welcomes the EIB Group Strategy on Gender Equality and Women’s Economic Empowerment published in 2017; believes that a gender perspective should be applied to all EIB Group financial operations; expects a Gender Action Plan, setting ambitious targets and accompanied by concrete indicators, to be implemented soon:

16. Welcomes the agreement reached on the prolongation and adjustment of the EFSI, and expects that the revised fund and the enhanced European Investment Advisory Hub will enable the problems identified in the current scheme, namely in relation to additionality, sustainability, climate action, geographic balance and advisory hub activities, to be overcome; stresses the importance of avoiding geographical imbalances in the EIB’s lending activity, so as to ensure a broader geographical and sectoral allocation without compromising the high quality of projects; calls on the EIB to further strengthen its work with NPBIs in order to improve outreach and further develop advisory activities and technical assistance to address the issue of geographical balance in the long term; notes a wide variety of experiences in terms of EFSI projects; supports and encourages the further exchange of best practices between the EIB and the Member States in order to ensure economic efficiency and adequate leverage of the Juncker plan, which will make a difference to the lives of EU citizens;

17. Notes that in the social sector, the EIB lends on average EUR 1 billion per year for social housing projects (which have seen a sharp increase in recent years and the further diversification of promoters and borrowers), EUR 1.5 billion for health infrastructure, and EUR 2.4 billion for education infrastructure projects; underlines that the further development of EIB financing in this sector would mirror current progress towards upholding the EU Pillar of Social Rights and ensuring, in accordance with expectations, that the EIB Group prioritise those projects that have the greatest impact on the creation of sustainable local jobs:

18. Welcomes the fact that, according to the EIB Economics Department’s brief of 28 September 2017, the cumulative investments approved by the EIB Group in 2015 and 2016 will add 2.3 % to EU GDP by 2020 and will add 2.25 million jobs, which shows the substantial macroeconomic impact of the EIB; encourages the EIB to further expand its macroeconomic analysis capability, including research regarding the macroeconomic impact of its activities, as well as its general analytical work and sectoral studies, and the range of empirical papers and publications, thereby also becoming a ‘knowledge bank’; calls on the EIB to continue improving the assessment of projects, by using richer, more precise and refined impact indicators;

19. Recognises the importance of the anti-cyclical role that the EIB has played in the past years; believes that one of the key priorities for the EIB once the economy returns to pre-crisis investment levels should be to focus on helping to bridge investment gaps in areas where markets fail, for example due to their persistent short-term focus and inability to correctly price long-term externalities, in order to boost sustainable investments, technological progress and innovation leading to sustainable growth; underlines the need to prioritise innovation-based projects with clear added value for the EU as well as regional development, by supporting projects such as the revitalisation of rural and other less accessible and underdeveloped areas;

20. Emphasises that the EIB has played and continues to play a positive role in reducing the negative public investment gap; emphasises that investment, responsible and sustainable structural reforms and sound budgetary policies must be an integral part of an overall strategy; calls for coordination between the EIB’s activities in the Member States and the governments’ activities, policies and objectives set in national reform programmes as well as in the country-specific recommendations whenever such coordination is possible;
21. Underlines that at EU level there are major structural reasons for increasing investment gaps between Member States; calls on the EIB to boost its technical assistance in order to address low project generation capacity in some Member States; calls on the EIB to provide more detailed information on the direct and indirect jobs created by every project funded;

22. Underlines that the EIB is treaty-bound to contribute to the balanced and steady development of the internal market through its primary lending activity, to support projects for developing less developed regions and projects which have a cross-border nature, in synergy with the ESI funds; stresses therefore the potential of the EIB’s important complementary role in the implementation of cohesion policy, which should always remain performance-based and result-oriented, including through activities aimed at strengthening project preparation capacities, consultancy and analysis services and loans for the national co-financing of the ESI funds; calls on the Commission and the EIB to better coordinate their efforts with a view to further promoting the exchange of best practices and disseminating investment opportunities in all European regions, including those which are not covered by the Cohesion Fund, with a view to better achieving the objectives of economic, social and territorial cohesion;

23. Emphasises that the EIB, as a public financial institution which finances projects aimed at fulfilling EU policies and priorities, should contribute to economic, social and territorial cohesion, including in less developed regions, as provided for in the Treaty on the Functioning of the European Union; notices with concern, however, that, according to the geographical breakdown of lending by country in which projects are located, five Member States, the biggest EU economies, received 54.11% of the total loans granted in 2016; calls on the EIB and the Commission to examine the reasons which led to this situation and to report back to Parliament by mid-2018; emphasises the need for broader territorial distribution of funds, including as regards the EFSI, which should always be complementary to the ESI funds, in order to achieve the objective of reducing regional disparities; stresses the need for an enhanced role for the EIB in financing social entrepreneurship and start-ups, social infrastructure growth acceleration, renewable energy, energy efficiency and circular economy projects; recalls in this context that the EIB is also a big investor in non-EU countries;

24. Takes note of the mid-term interim evaluation of all Horizon 2020’s financial instruments (InnovFin) managed by the EIB Group and the 15 recommendations made therein; expects the EIB Group to formulate a detailed strategy on the path it intends to follow to implement these recommendations;

25. Reiterates its position that the European legal framework, including the EIB Statute, the EFSI Regulation, the four Common Agricultural Policy (CAP) Regulations, and the five ESI funds (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) should prohibit the use of EU funding ultimately going to beneficiaries or financial intermediaries with a proven record of involvement in tax evasion or tax fraud;

26. Recalls that the EIB’s non-compliant jurisdiction (NCJ) policy needs to be ambitious; notes that relying on the common EU list of third country jurisdictions that fail to comply with tax good governance standards, which was endorsed by the Council of the EU on 5 December 2017 and which will prevail over other lead organisations’ lists in the case of conflict, is a positive but insufficient step, and calls for country-by-country reporting without exemptions to be made a key part of the EIB’s corporate social responsibility strategy; calls on the EIB to: comply with the relevant standards and applicable legislation on the prevention of money laundering and on the fight against terrorism, tax fraud and tax evasion; not make use of or engage in tax avoidance structures, in particular aggressive tax planning schemes or practices which do not comply with tax good governance criteria, as set out in the legal acts of the Union, Council conclusions, Commission communications or any formal notice by the Commission; and not maintain business relations with entities incorporated or established in jurisdictions that do not cooperate with the Union in relation to the application of the internationally agreed tax standards on transparency and exchange of information; calls on the EIB, following a consultation with the Commission and stakeholders, to revise and update its NCJ policy in the light of the adoption of the aforementioned Union list of non-cooperative jurisdictions; calls on the Commission, for its part, to submit a report to Parliament and the Council every year on the implementation of that policy;
27. Notes that the Commission has blocked certain projects submitted by the international financial institutions (IFIs) (1) in the past because these projects involved unjustifiably complex tax arrangements by means of harmful or absent tax regimes in third countries; calls on the Commission and the EIB to include in its annual report information on projects where funds have been transferred to offshore jurisdictions; stresses the need for IFIs to eliminate the risk of EU funds directly or indirectly helping tax avoidance and tax fraud;

28. Notes that concerns were raised about projects funded by the EIB involving offshore structures and non-cooperative jurisdictions; calls on the Commission to publish an annual public report on the use of EU funds in relation to offshore structures and EIB and European Bank for Reconstruction and Development (EBRD) money transfers to those structures, including the number and nature of projects blocked, explanatory comments on the rationale for blocking projects and follow-up action taken to ensure no EU funds directly or indirectly help tax avoidance and tax fraud;

29. Welcomes the fact that the EIB takes into account the tax impact in countries where investment is made and how this investment contributes to economic development, job creation and the reduction of inequality;

30. Considers that, as the European Union's bank, the EIB should step up its efforts to ensure that the financial intermediaries with which it engages do not make use of or engage in tax avoidance structures, in particular aggressive tax planning schemes or practices which do not comply with tax good governance criteria as set out in EU legislation, including Commission recommendations and communications; stresses that the EIB should also make sure that financial intermediaries are not involved in corruption, money laundering, organised crime or terrorism;

31. Stresses the need for the EIB to have reliable and complete information on beneficial ownership of the final recipients of the EIB funds, including in cases where the financing relies on private equity funds; urges the EIB, therefore, to reinforce its due diligence procedure and transparency when working with financial intermediaries; considers that using criteria for selecting financial intermediaries and being in possession of up-to-date information on beneficial ownership of companies, including trusts, foundations and tax havens, are best practices to be permanently followed; notes the fact that the EIB identifies the beneficial owners of such companies during the due diligence process; invites the EIB Group to further reinforce its contractual conditions by integrating a clause on or reference to good governance in order to mitigate risks to integrity and reputation; insists on the need for the EIB to establish a thorough public list of selection criteria for financial intermediaries, so as to step up the EU's commitment to combating tax abuse and to prevent more effectively the risks of corruption and infiltration by criminal groups;

32. Welcomes the EIB’s efforts to carry out due diligence on EIB Group counterparties and operations, including ongoing monitoring activities and controls, so as to ensure that the EIB does not unwittingly facilitate corruption, fraud, collusion, coercion, money laundering, tax fraud, harmful tax practices, or the financing of terrorism, notably through the publication of regular activity reports by the Office of the Chief Compliance Officer (OCCO) and its close cooperation with the EIB Inspectorate General; calls on the EIB to align itself with the new rapid alert and exclusion system planned by the Commission;

33. Welcomes the EIB Group’s cooperation and exchanges with the different Commission services on the measures contained in the anti-tax avoidance package, with a view to clarifying the scope and key elements of the legislative package, the EIB Group's role and involvement, and its engagement in dialogue with civil society organisations on these issues, at the level of both the EIB Group's Board of Directors and the EIB's services, such as the OCCO; calls on the EIB to better address tax avoidance in its due diligence checks;

Accountability

34. Believes that the enhanced economic role of the EIB Group, its increased investment capacity and the use of the EU budget to guarantee its operations must be accompanied by greater transparency and increased accountability, so as to ensure genuine public scrutiny of its activities, project selection and funding priorities;

35. Acknowledges that the EIB submits three reports a year on its activities to Parliament and that the EIB President and staff regularly attend hearings at the request of Parliament and its committees; recalls however, its request for a higher level of parliamentary accountability and transparency of the EIB; reiterates its call, in this regard, for the signing of an interinstitutional agreement between the EIB and Parliament on the exchange of information, including the possibility for Members to address written questions to the President of the EIB;

36. Recalls that transparency in the implementation of EU policies not only serves to strengthen the EIB group's overall corporate accountability and credibility, with a clear overview of the type of financial intermediaries and final beneficiaries, but also contributes to enhancing the effectiveness and sustainability of the funded projects and ensures a zero-tolerance approach to fraud and corruption in its loan portfolio;

37. Welcomes the fact that the EIB Group's transparency policy is based on a presumption of disclosure and that everyone can access EIB Group documents and information; recalls its recommendation for the publication on the EIB Group website of non-confidential documents, such as interinstitutional agreements and memoranda, and urges the EIB Group not to stop there, but to continue looking for ways to improve;

38. Suggests that the EIB group should follow the example set by the International Finance Corporation (IFC) of the World Bank Group and start disclosing information about the high-risk sub-projects it finances via commercial banks (the main intermediaries/financial vehicles used by the EIB Group to fund SMEs);

39. Welcomes the fact that all project documents held by the EIB Group are disclosed upon request; asks the EIB Group to define guidelines for non-sensitive and basic information that could be disclosed in relation to demands for proactive project-level disclosure;

40. Calls for the EIB Group's disclosure policy to ensure an increasingly high level of transparency as regards the principles governing its pricing policy and governance bodies; welcomes, in this regard, the disclosure of the minutes of the meetings of the EIB Group's Board of Directors of January 2017, the public register of documents, and the publication of project data via the International Aid Transparency Initiative (1); calls for the publication of the minutes of management committee meetings;

41. Takes note of the ongoing revisions of the EIB Group's whistleblowing policy; urges the EIB Group to reinforce the independence, legitimacy, accessibility, predictability, equitability and transparency of its complaints mechanism, including by involving directors and improving protection for complainants; believes that such measures are clearly in the interests of the bank, the stakeholders and the EU institutions;

42. Notes that out of 120 cases reported to the Fraud Investigations Division of the Inspectorate General (IG/IN) in 2016, 53 % were referred by EIB Group staff; welcomes the fact that the fraud reporting mechanism on the EIB's website is now available in 30 languages (2); believes that the EIB should carefully follow the ongoing work on the protection of whistle-blowers at EU level and consequently further improve its reporting possibilities;

43. Calls on the EIB Group to put a continuous emphasis on performance scrutiny via performance assessments and proven impact; encourages it to continue to refine its monitoring indicators, more specifically its indicators of additionality, with a view to assessing impact as early as possible in the project generation phase and providing the Board with sufficient information on the impact envisaged, in particular with regard to the contribution of projects to EU policies, for example their effect on employment (during both implementation and operation); points out, Furthermore, that the performance of

EIB Group financing cannot be assessed on the basis of an appraisal of its financial impact alone, and calls, therefore, for the right balance to be maintained between the operational targets defined in terms of business volume and the non-financial EIB Group staff objectives; urges, for instance, that the performance assessments indicate what specific objectives within the framework of the UN Sustainable Development Goals (SDGs) are targeted by the project and to what extent it has contributed to fulfilling them; considers it vital that people living in the vicinity of funded infrastructure-related projects should be actively involved in assessing them;

44. Welcomes the fact that the EIB is continuing to work on fine-tuning its impact reporting methodology, for instance so as to accurately capture the investment mobilised through various intermediated lending structures and new products, and the joint steps taken together with other multilateral development banks in the harmonisation of key aspects of impact reporting, such as in the report recently compiled on climate finance reporting and the report being prepared on lending across all sectors;

45. Welcomes the fact that results measurement (ReM+) is gradually leading to a 'change of culture' in the EIB Group; calls for the harmonisation and generalisation of this exercise, integrating in addition the Addis Ababa and Paris indicators as far as possible; believes that adjusting such indicators further by integrating local views could diminish their remoteness without affecting their independence;

46. Calls on the EIB to take into account the local context when investing in third countries; recalls that investing in third countries cannot be based on a profit maximisation approach alone but must also aim to generate long-term, private sector-led sustainable economic growth and reduce poverty through job creation and improved access to productive resources;

47. Notes that in many of the EIB’s countries of operations, human rights, and in particular the freedoms of expression, assembly and association, are under attack in a variety of ways, from violent crackdowns on protests and the criminalisation of free speech, to arbitrary arrests, the detention of human rights defenders and restrictions on civil society organisations; calls on the EIB to adopt a Human Rights Action Plan for the purposes of implementing the objectives of the EU Strategic Framework and Action Plan on Human Rights and Democracy and the UN Guiding Principles on Business and Human Rights, in order to forestall any negative impacts of EIB projects on human rights, to ensure that the EIB’s projects contribute to the enhancement and fulfilment of human rights, and to provide remedies in the event of human rights violations;

48. Welcomes the publication of its ReM framework methodology, but believes that the results of such assessments should be disclosed for any operation, including the environmental and social impact at the level of projects or sub-projects; welcomes the mid-term revision of the ELM, as a consequence of which the EIB will now, on request, communicate to Parliament ReM sheets for projects covered by the EU budget guarantee; calls on the EIB, however, to publish further ReM sheets for individual projects outside the EU and Three Pillars assessment sheets for projects in the EU in order to strengthen the Bank’s transparency;

49. Calls on the EIB to publish all relevant documents regarding loans to the automotive industry for the development of diesel technology, including the respective European Anti-Fraud Office (OLAF) report and its recommendations on EIB loans to Volkswagen, and more generally to explain the extent to which loans were made to car companies found to have manipulated emissions and provide an overview of how many of these loans have been counted as climate action; asks, in this context, for clarification as to the checks and balances in place to ensure a genuine clean technology orientation for more recent loan agreements with car companies such as those backing research and development activities in the areas of connectivity, efficient petrol-electric hybrid engines, longer-range electric cars and advanced driving assistance systems;
50. Welcomes the EIB Group’s adoption of high transparency and accountability standards for its SME lending activity, and the fact that mandatory reporting from financial intermediaries on each SME that benefitted from EIB Group support will take these results into account when subsequent transactions with the same intermediary are considered;

51. Underlines that, following the entry into force of Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union’s financial interests by means of criminal law (1), and of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (the EPPO) (2), the EPPO shall examine EIB operations in the Member States whenever national authorities or the European Anti-Fraud Office (OLAF) have reason to suspect that a criminal offence has been committed in this context;

52. Notes the limited existing information on the extent to which the EIB lending activities contribute to the achievement of cohesion policy objectives; calls therefore on the EIB to present special chapters, as appropriate, in its annual report dedicated to evaluating the impact of the EIB activities aimed at supporting the implementation of cohesion policy, including Interreg-related activities, and to provide detailed information on the use of loans in cohesion policy projects and programmes, with reference also to the geographical distribution of the support, its effective contribution to cohesion policy objectives, including horizontal principles and the Europe 2020 strategy’s goals, and the concrete capacity to mobilise private investment; underlines in this context the EIB’s responsibility to provide the European Parliament, the Court of Auditors and others with sufficient data, including on the costs and management of its products, and considers also the added value of aggregate data at EU level on the combination of cohesion policy- and EIB-related investments;

**Financial activities of the EIB Group**

53. Calls on the EIB Group to actively collaborate with the Commission in a process of rationalisation of the number and types of financial instruments under the next multiannual financial framework (MFF) and to anticipate the process by drawing attention, as an initial step, to any existing duplication or overlaps, on the basis of its own experience;

54. Believes that the EIB Group’s financial instruments should serve projects chosen on the basis of their own merits, their potential to generate added value for the EU as a whole, and effective additionality, especially in areas where markets fail to finance and support projects, finding the right balance between a potentially higher risk profile and the fundamental need to maintain its high credit standing;

55. Warns, in this respect, that market-driven instruments risk shifting the focus of the EU budget from EU public common goods and encourages the EIB Group to reinforce its reporting to the Commission on the quality as opposed to the quantity of its financing in the context of financial instruments;

56. Notes that in order to make full use of the additional risk-bearing capacity, the EIB group has developed various new products that will allow for higher risk taking (e.g. subordinated debt, equity-type, risk sharing with banks), and has reviewed its credit risk policy and eligibilities in order to allow for increased flexibility;

57. Calls on the EIB Group to further develop its risk culture in order to improve its effectiveness and the complementarity and synergies between its interventions and various EU policies, in particular by supporting innovative companies, infrastructure projects and SMEs that are taking risks or evolving in economically disadvantaged regions or regions that lack stability, in line with the recurrent and longstanding objective of easier access to financing for SMEs, but without compromising the principles of sound management or jeopardising the EIB’s high credit standing; recalls that if they are to contribute to the economic development of the EU, as well as economic, social and territorial cohesion, risk transfer-based instruments cannot be risk free; stresses that the EIB and its shareholders must be fully aware of this; encourages the EIB to assess the possibility of offering EIB bonds for direct purchase;

58. Notes that the support of the EIB group to SMEs and midcaps amounted to a record EUR 33.6 billion and supported the creation of 4.4 million jobs in 2016; highlights the importance of the EIB Group providing continuous support for SMEs and midcaps by enhancing their access to finance; emphasises that SMEs are the backbone of the European economy and should remain the principal target of the EIB Group’s lending activities by further reinforcing financing instruments for SMEs and midcaps;

59. Recalls that more than 90% of EU SMEs are microenterprises, providing almost 30% of the employment in the private sector; points out that microenterprises are more vulnerable to economic shocks than larger firms and may remain underserved in credit provision, particularly when based in a region where the economic and banking context is unfavourable; calls on the EIB to draw up a strategy for remedying the fact that SMEs in such circumstances have difficulties in gaining access to project financing;

60. Acknowledges that access to finance is still a core barrier to the growth of the cultural creative industries (CCIs); stresses the urgent need for funding initiatives to strengthen such industries; emphasises the potential from the EIB and the EFSI to support the creative sector, mainly through the financing of SMEs; calls on the EIB to address the lack of EFSI funding to CCIs by investigating possible interactions with Creative Europe;

61. Calls on the EIB group to further rely on financially sound intermediaries, such as NPBIs, for the instruction of certain types of projects, which would not jeopardise its high credit standing;

62. Considers that many EIB Group governance rules are designed to safeguard its high credit standing, but that very little information is available on how close the EIB Group is to a lower rating;

63. Underlines that the due diligence of investment projects financed by the EIB Group should be based on both factors related to financial return and factors not related to financial return, but instead to the achievement of other kinds of objectives, such as the contribution of the project to upward economic convergence and cohesion in the EU, or to the achievement of the Europe 2020 targets or the SDGs; considers that the EIB Group should explain these non-financial criteria to institutional and private investors (for example, pension funds and insurance companies) in an appropriate manner, thus promoting an increased focus on socio-economic and environmental impact across the financial sector;

64. Believes that in cases where stressed financial market conditions would prevent the realisation of a viable project or where it is necessary to facilitate the establishment of investment platforms or the funding of projects in sectors or areas experiencing a significant market failure or suboptimal investment situation, the EIB Group should implement and document changes, notably to the remuneration of the EU guarantee to the EIB, in order to contribute to a reduction in the cost of financing the operation borne by the beneficiary of EIB Group financing through financial instruments, so as to facilitate project implementation; believes that similar efforts should be undertaken where necessary to ensure that financial instruments support small projects, and that where the use of local or regional intermediaries enables a reduction in the cost of financial instrument financing to small projects, this form of deployment should also be considered;

65. Welcomes the recently approved equity strategy involving more appraisal of equity-type operations to address the gap in equity financing in the innovation and infrastructure priority areas in the EU, in particular in two market areas: indirect equity financing (equity investment in infrastructure funds and co-investment programmes) and direct equity-type financing (quasi-equity loans to corporates and quasi-equity loans to midcaps) with a mix of direct and indirect instruments (equity funds and participating loans);

66. Welcomes the EIF support already given to crowdfunding platforms within the scope of existing activities, the willingness to continue to support platforms selectively within the scope, or through the expansion of, existing programmes, and the work carried out jointly with the Commission on a potential debt and equity crowdfunding pilot project; suggests that the EIF find ways to identify and reach FinTech-led financial intermediaries in need of support;
67. Calls on the Commission to assess and monitor carefully the cost associated with the number of mandates given to the EIB; recalls that the associated administrative cost may have an impact on its overall performance given the current level of financial and human resources;

68. Highlights that the EIB’s role in cohesion policy is increasing, especially due to the enhanced use of financial instruments in combination with grants; stresses, however, that their accessibility for final recipients is still very low and that Member States and regions point to the complexity of the procedures, laid down both in the Financial Regulation and the Common Provisions Regulation (CPR), including on disproportionate costs and fees, as well as to competition with more attractive national and regional instruments; welcomes, in this context, the setting up of the fi-compass platform as a one-stop shop for advisory services on financial instruments under cohesion policy; calls, nevertheless, for further technical assistance and simplification of the existing procedures, as well as more focus on capacity building vis-à-vis financial intermediaries, and points to the need to better link management costs and fees to the performance of the fund manager of financial instruments under the ESI funds; recalls nevertheless that grants, being an effective form of support in manifold areas of public intervention, must be maintained as the main tool for cohesion policy and that financial instruments should be concentrated in those sectors where they have higher added value than grants, their use remaining at the discretion of managing authorities; points out that a stronger framework of EIB engagement with the European Parliament needs to be promoted, in order to allow for better scrutiny of EIB activities;

**Communication and advisory activities of the EIB Group**

69. Regrets that the potential beneficiaries of EIB Group financing are generally not sufficiently aware of the products developed by the EIB Group; questions whether the EIB Group’s supply chain is sufficiently diverse and inclusive;

70. Believes the communication of the EIB group, in cooperation with its relevant national partners, should be improved in order to raise SMEs’ awareness of their financing possibilities and to better inform the citizens of the local and concrete projects financed by the EU;

71. Welcomes, in this regard, the partnerships that are being concluded with international and national institutions in order to ensure complementarity with the EIB’s advisory services;

72. Regrets the lack of data available on the role of the EIB at each stage of the implementation cycle of cohesion policy and the limited information on the extent to which EIB lending activities contribute to cohesion policy objectives; stresses the need and calls for more efforts to achieve greater transparency and better communication with a view to ensuring that information reaches final recipients at regional and local level and to increasing the visibility of projects;

73. Expects the Commission, the EIB Group and national, regional and local authorities to continue to work and strengthen their cooperation, in the spirit of complementarity, with NPBIs in order to create more synergies between the ESI funds and EIB financing instruments and loans, to reduce administrative burdens, simplify procedures, increase administrative capacity, boost territorial development and cohesion and improve the understanding of ESI funds and EIB financing, since NPBIs have a sound knowledge of their respective territories and the ability to implement tailor-made financial instruments locally;

74. Instructs its President to forward this resolution to the Council, the Commission, the EIB, and the governments and parliaments of the Member States.
Current human rights situation in Turkey


The European Parliament,

— having regard to its previous resolutions on Turkey, in particular that of 27 October 2016 on the situation of journalists in Turkey (1),

— having regard to its resolution of 6 July 2017 on the 2016 Commission Report on Turkey (2),

— having regard to the statements by the Vice-President of the Commission / High Representative, Federica Mogherini and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn, of 2 February 2018 on the latest developments in Turkey, of 14 July 2017 a year after the coup attempt in Turkey, and of 13 March 2017 on the Venice Commission’s opinion on the amendments to the Constitution of Turkey and recent events,

— having regard to the statements by the European External Action Service (EEAS) Spokesperson of 8 June 2017 on the reported detention of the head of Amnesty International in Turkey, Taner Kilic, of 8 July 2017 on the detention of human rights defenders on the island of Büyükada in Turkey, and of 26 October 2017 on ongoing human rights cases in Turkey,

— having regard to the EU-Turkey High Level Political Dialogue of 25 July 2017,

— having regard to the written observations by the Council of Europe Commissioner for Human Rights submitted to the European Court of Human Rights of 2 November 2017 concerning a group of twelve applications relating to the freedom of expression and right to liberty and security of parliamentarians in Turkey and of 10 October 2017 concerning a group of ten applications relating to the freedom of expression and right to liberty of journalists in Turkey,

— having regard to Resolution 2156 (2017) of the Parliamentary Assembly of the Council of Europe on the functioning of democratic institutions in Turkey,

— having regard to the fact that the EU’s founding values include the rule of law and respect for human rights, values which also apply to all EU candidate countries,

— having regard to the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), to which Turkey is a state party,

— having regard to the Charter of Fundamental Rights of the European Union,

— having regard to Rule 123(2) and (4) of its Rules of Procedure,

A. whereas Parliament strongly condemned the attempted coup of 15 July 2016; whereas on 18 January 2018 the Turkish Parliament extended the state of emergency in Turkey for another three months; whereas the state of emergency is currently being used to silence dissent and goes far beyond any legitimate measures to combat threats to national security; whereas under international law, emergency measures must be necessary and proportionate in scope and duration;

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(2) Texts adopted, P8_TA(2017)0306.
B. whereas Turkey is an important partner of the EU and is expected as a candidate country to uphold the highest standards of democracy, including respect for human rights, the rule of law, fundamental freedoms and the universal right to a fair trial;

C. whereas 148 signatories of the ‘Academics for Peace’ petition are facing indictments for disseminating ‘terrorist propaganda’ and await court hearings in May 2018;

D. whereas, according to the European Federation of Journalists, following the attempted coup, 148 journalists remain in prison; whereas the crackdown on political dissent through social media continues; whereas 449 people were detained for posting comments on social media that were critical of the Turkish Government’s military intervention in the Syrian enclave of Afrin; whereas, according to Amnesty International, the Turkish authorities have shut down hundreds of civil society organisations and closed down the offices of more than 160 broadcasters, newspapers, magazines, publishers and distribution companies;

E. whereas the Turkish authorities have dismissed 107,000 people from their professions since July 2016; whereas the ‘Commission of Inquiry for State of Emergency Practices’ set up upon the recommendation of the Council of Europe has received 104,789 applications as of 18 January 2018 and has so far issued decisions only in 3,110 cases, which have not been made public;

F. whereas recent years have seen the extension of executive control over the judiciary and prosecution, the widespread arrest, dismissal and arbitrary transfer of judges and prosecutors, and persistent attacks against lawyers;

G. whereas according to data provided by the Human Rights Association (HRA), in the first 11 months of 2017 a total of 2,278 people encountered torture and ill-treatment;

H. whereas the situation in the south-east of the country remains extremely worrying; whereas an estimated 2,500 people have been reportedly killed in the context of security operations and an estimated half a million people have become displaced since July 2015; whereas 68 Kurdish mayors remain imprisoned;

I. whereas among those journalists detained are, for example, the German-Turkish journalist Deniz Yücel, the academic and columnist Mehmet Altan, the journalist Şahin Alpay; as well as numerous journalists and staffers from the daily Cumhuriyet, including Ahmet Şık;

J. whereas, in the aftermath of the lifting of the parliamentary immunities of a large number of MPs, many opposition MPs have faced judicial proceedings and detention; whereas 10 MPs remain detained, including HDP co-chairs Figen Yüksekdağ and Selahattin Demirtaş, who was not allowed to appear in court for security reasons, and CHP MP Enis Berberoğlu, and six MPs have been stripped of their parliamentary mandate, including the Sakharov Prize laureate Leyla Zana, following a vote in the Turkish Parliament;

K. whereas in July 2017 the Turkish authorities arrested 10 human rights activists (the ‘Istanbul Ten’), who were later released on bail; whereas the Istanbul court overturned its own decision to release Taner Kılıç, the president of Amnesty International Turkey, on 1 February 2018, keeping him detained for the duration of his trial;

L. whereas one of Turkey’s leading civil society leaders, Osman Kavala, was arrested on 18 October 2017, and has been held in prison ever since on the accusation that he ‘attempted to overthrow the government’ by supporting the Gezi Park protests in December 2013;

M. whereas on 19 November 2017 the Ankara Governor’s Office decided to impose an indefinite ban on any event organised by LGBTI organisations;

N. whereas despite the fact that the Turkish Constitution provides for the freedom of belief, worship, and the private dissemination of religious ideas, and prohibits discrimination on religious grounds, religious minorities still face verbal and physical attacks, stigmatisation and social pressure at school and in public life, discrimination and problems regarding the ability to legally establish a place of worship;
O. whereas, in view of the situation in Turkey as regards democracy, the rule of law, human rights and press freedom, Turkey’s pre-accession funds have been cut by EUR 105 million compared to the Commission’s initial proposal for the 2018 EU budget, with a further EUR 70 million held in reserve until the country makes ‘measurable sufficient improvements’ in these fields;

P. whereas Parliament called, in November 2016, for the accession process with Turkey to be frozen and, in July 2017, for it to be suspended if the constitutional changes were implemented unchanged:

1. Reiterates its strong condemnation of the coup attempt of 16 July 2016, and expresses its solidarity with Turkey’s citizens; recognises the right and responsibility of the Turkish Government to take action in bringing the perpetrators to justice while guaranteeing respect for the rule of law and the right to a fair trial; stresses, however, that the failed military takeover is currently being used to further stifle legitimate and peaceful opposition and to prevent the media and civil society in the peaceful exercise of freedom of expression through disproportionate and illegal actions and measures;

2. Expresses its deep concern at the ongoing deterioration in fundamental rights and freedoms and the rule of law in Turkey, and the lack of judicial independence; condemns the use of arbitrary detention and judicial and administrative harassment to persecute tens of thousands of people; urges the Turkish authorities to immediately and unconditionally release all those who have been detained only for carrying out their legitimate work, exercising freedom of expression and association and are being held without compelling evidence of criminal activity; calls for the lifting of the state of emergency in the country and the repeal of the emergency decrees;

3. Calls on the Turkish authorities to respect the European Convention on Human Rights, which includes a clear rejection of capital punishment, and the case-law of the European Court of Human Rights, including the principle of presumption of innocence;

4. Calls on the Turkish Government to offer all persons subjected to restrictive measures appropriate and effective remedies and judicial review in line with the rule of law; stresses that the presumption of innocence is a fundamental principle in any constitutional state; calls on Turkey to revise, as a matter of urgency, the ‘Commission of Inquiry for State of Emergency Practices’ in such a way that it becomes a robust and independent commission capable of giving individual treatment to all cases, of effectively processing the enormous number of applications it receives, and of ensuring that the judicial review is not unduly delayed; urges the Commission of Inquiry to make its decisions public; calls on the Turkish authorities to allow trade unions to exercise legitimate union activity;

5. Underlines that terrorism continues to pose a direct threat to citizens in Turkey; reiterates, however, that the broadly defined Turkish anti-terrorism legislation should not be used to punish citizens and media for exercising their right of freedom of expression; condemns, in that respect, the detention and trial of at least 148 academics from public and private universities who signed the ‘Academics for Peace’ petition, and equally condemns the most recent arrests of journalists, activists, doctors and ordinary citizens for expressing their opposition to the Turkish military intervention in Afrin; is seriously concerned about the humanitarian consequences of the military intervention in this Kurdish-majority region of Syria and warns against the continuation of disproportionate actions;

6. Is deeply concerned about reports of the ill-treatment and torture of prisoners, and calls on the Turkish authorities to carry out a thorough investigation into those allegations; reiterates its call to make public the report of the Council of Europe’s Committee for the Prevention of Torture (CPT report);

7. Strongly condemns the decision of the Turkish Parliament to unconstitutionally waive the immunity of a large number of MPs, paving the way for the recent arrests of 10 opposition MPs, including the co-chairs of the People’s Democratic Party (HDP), Figen Yüksekdağ and Selahattin Demirtaş, and revoking the mandate of six opposition MPs, including most recently that of Sakharov Prize laureate Leyla Zana; condemns the imprisonment of 68 Kurdish mayors; condemns the arbitrary replacement of local elected representatives, which is undermining further the democratic structure of Turkey;

8. Is seriously concerned over the closure of more than 160 media outlets by executive decree under the state of emergency; condemns the political pressure on journalists; expresses serious concern at the monitoring of social media platforms and the shutdown of social media accounts by Turkey’s authorities; urges the immediate and unconditional release of all those detained without proof, including EU citizens such as the German journalist Deniz Yücel, who has been
held in jail for a year, including nine months in solitary confinement, while no formal charges have yet been brought against him; urges Turkey to drop charges against a Finnish-Turkish journalist, Ayla Albayrak, who has been convicted by a Turkish Court in absentia; welcomes the fact that some journalists and staff of the opposition paper Cümhuriyet were released after months in prison, and also calls for the immediate release of the four Cümhuriyet journalists still behind bars;

9. Is very concerned at the massive crackdown against Turkey's civil society organisations, and specifically the arrest of one of the leading NGO leaders, Osman Kavala; urges the Turkish Government to immediately release Kavala as his arrest is politicised and arbitrary;

10. Notes with concern the deterioration of Turkey's long-held secularist principles and values; is seriously concerned about the lack of respect for the freedom of religion, including the increased discrimination against Christians and other religious minorities; condemns the confiscation of 50 Aramean churches, monasteries and cemeteries in Mardin; calls on the Commission to urgently address these issues with the Turkish authorities; urges the Turkish Government to release pastor Andrew Brunson and to allow him to return home;

11. Recalls equally the principle of non-discrimination against minorities, including Roma, who have an equal right to express their culture and to have access to social welfare;

12. Condemns the statement by the Ankara Governor's Office of 19 November 2017 regarding the decision to impose an indefinite ban on any event organised by LGBTI organisations, following three consecutive bans of the Istanbul Pride march; calls on the Turkish authorities to revoke the ban; welcomes the release of the leading LGBTI activist Ali Erol and calls, in this respect, on the Turkish authorities to release arbitrarily detained LGBTI activists and to safeguard the well-being of Diren Coşkun, who is on hunger strike;

13. Reiterates its serious concern at the situation in south-east Turkey, especially in the areas where curfews are imposed, excessive force is used and collective punishment is applied; urges Turkey to come up with a plan for the effective reintegration of the half-million internally displaced people; reiterates its condemnation of the return to violence by the PKK, which has been on the EU's terror list since 2002, and urges it to lay down its arms and to use peaceful and democratic means to voice its expectations; recalls that the Turkish Government has a responsibility to protect all of its citizens; deplores the widespread practice of expropriation, including of properties belonging to the municipalities; is convinced that only a fair political settlement of the Kurdish question can bring sustainable stability and prosperity, both to the area and to Turkey as a whole, and therefore calls on both sides to return to the negotiating table;

14. Expresses its serious concern over the functioning of the legal system in Turkey after the Istanbul criminal court decision to keep two jailed journalists, Mehmet Altan and Şahin Alpay, in detention following the request of the constitutional court for their release on the grounds that they had had their rights violated in custody; notes that this constitutes a further deterioration of the rule of law; deeply regrets the recent re-arrest of the president of Amnesty International Turkey, Taner Kılıç, which is widely considered a travesty of justice, and calls for the charges against him and his co-defendants (the 'Istanbul Ten') to be dropped as no concrete evidence has yet been submitted against them;

15. Reiterates its position of November 2017 in which it called for funds destined for the Turkish authorities under the Instrument for Pre-Accession Assistance (IPAII) to be made conditional on improvements in the field of human rights, democracy and the rule of law, and, where possible, rerouted to civil society organisations; reiterates its call on the Commission to take into consideration the developments in Turkey during the review of the IPA funds, but also to present concrete proposals on how to increase support for Turkish civil society;

16. Urges the High Representative, the EEAS, the Commission and the Member States to continue to raise with their Turkish interlocutors the situation of human rights defenders, political activists, lawyers, journalists and academics in detention, and to provide diplomatic and political support for them, including observation of trials and monitoring of cases;
17. Calls for this resolution to be translated into Turkish;

18. 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, and the President, Government and Parliament of Turkey.
Situation in Venezuela

European Parliament resolution of 8 February 2018 on the situation in Venezuela (2018/2559(RSP))
(2018/C 463/10)

The European Parliament,

— having regard to the Universal Declaration of Human Rights of 1948,

— having regard to the International Covenant on Civil and Political Rights, to which Venezuela is a party,

— having regard to the Constitution of Venezuela,

— having regard to its numerous resolutions on Venezuela, in particular those of 27 February 2014 on the situation in Venezuela (1), of 18 December 2014 on the persecution of the democratic opposition in Venezuela (2), of 12 March 2015 on the situation in Venezuela (3), of 8 June 2016 on the situation in Venezuela (4), of 27 April 2017 on the situation in Venezuela (5) and of 13 September 2017 on EU political relations with Latin America (6),

— having regard to the declaration of 12 July 2017 by the Chairs of the Foreign Affairs Committee, the Mercosur Delegation and the EuroLat Parliamentary Assembly on the current situation in Venezuela,

— having regard to the Inter-American Democratic Charter adopted on 11 September 2001,

— having regard to the statement of 31 March 2017 by the UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, on the ruling by the Venezuelan Supreme Court to take over the legislative powers of the National Assembly,

— having regard to the statement by the UN Human Rights Council (UNHRC) condemning the detention of Enrique Aristeguieta on 2 February 2018,

— having regard to the warnings contained in the reports of 30 May 2016 and 14 March 2017 by the Organisation of American States (OAS) on Venezuela, and to the calls by the Secretary-General of the OAS for the urgent convocation of its Permanent Council under Article 20 of the Inter-American Democratic Charter to discuss the political crisis in Venezuela,

— having regard to the letter of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 27 March 2017 on the worsening and severe political, economic and humanitarian crises in Venezuela,

— having regard to the OAS declaration signed by 14 of its member states on 13 March 2017 demanding that Venezuela promptly schedule elections, release political prisoners and recognise its constitution’s separation of powers, among other measures,

— having regard to the resolution of the OAS Permanent Council of 3 April 2017 on the recent events in Venezuela,

— having regard to the declaration of ‘El Grupo de Lima’ of 23 January 2018 on the National Constituent Assembly’s decision to call presidential elections,

— having regard to the Council conclusions of 13 November 2017 and 22 January 2018 on Venezuela, namely imposing an arms embargo and sanctions,

— having regard to the declaration by the VP/HR on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in Venezuela on 7 December 2017,

— having regard to the declaration by the VP/HR on behalf of the EU on the latest developments in Venezuela, of 26 January 2018, condemning the decision by the Venezuelan authorities to expel the Spanish Ambassador in Caracas,

— having regard to its decision to award the 2017 Sakharov Prize to the Democratic Opposition in Venezuela,

— having regard to Rule 123(2) and (4) of its Rules of Procedure,

A. whereas the illegitimate National Constituent Assembly, which is recognised neither internationally nor by the European Union, called for presidential elections to be held before the end of April 2018; whereas, according to the Venezuelan Constitution, the body responsible for calling an election is the National Electoral Council; whereas Article 298 of the Venezuelan Constitution, which clearly states: ‘The law that regulates electoral processes may not be modified in any way in the period between election day and the six months immediately preceding it’, has very recently been violated several times;

B. whereas this decision was taken outside the scope of the national dialogue which has been taking place since December 2017, and regardless of any possible developments achieved in the meeting held between the Venezuelan Government and opposition in Santo Domingo; whereas the date of and process leading up to the elections were two of the main topics of the Santo Domingo talks; whereas this call for elections runs counter to both democratic principles and good faith as regards dialogue between the government and the opposition;

C. whereas on 25 January 2018 the Supreme Court decided to exclude the MUD (Mesa de la Unidad Democrática) from the presidential elections; whereas on 4 February 2018 the National Electoral Council excluded the Primero Justicia party from the electoral process; whereas leaders such as Leopoldo López and Henrique Capriles are banned from running for office; whereas these decisions represent a serious breach of the principle of equitable elections, prohibiting opposition candidates from competing freely and on equal terms in the elections;

D. whereas the MUD was awarded Parliament’s 2017 Sakharov Prize for freedom of thought;

E. whereas such an unconstitutional call for early elections resulted in Mexico’s and Chile’s withdrawal from the process of national political negotiations between the Venezuelan Government and part of the opposition;

F. whereas on 13 November 2017 the Council of the EU decided to adopt an arms embargo against Venezuela and a ban on related material that might be used for internal repression;

G. whereas on 22 January 2018 the Council of the EU decided, by unanimity, to impose sanctions against seven Venezuelan individuals holding official positions in the form of restrictive measures such as travel bans and asset freezes, in response to non-compliance with democratic principles, the rule of law and democracy;

H. whereas following the adoption of EU sanctions, Venezuela retaliated by expelling the Spanish ambassador in Caracas and declaring him ‘persona non grata’, accusing Spain of interfering in its internal affairs; whereas the EU has firmly condemned this decision, while at the same pointing out its full solidarity with Spain, on the understanding that EU decisions in the area of foreign policy, including the imposition of sanctions, are unanimous;

I. whereas the situation of human rights, democracy and the rule of law in Venezuela continues to deteriorate; whereas Venezuela is facing an unprecedented political, social, economic and humanitarian crisis, resulting in many deaths; whereas holding free and fair elections with all appropriate guarantees and allowing adequate time to prepare them are fundamental for a start to be made on resolving the many problems Venezuela faces; whereas almost 2 million
Venezuelans have fled the country; whereas host countries are coming under increasing strain in terms of providing assistance and services to new arrivals;

J. whereas rebel police official Oscar Pérez and six other individuals were extra-judicially executed despite the fact that they had already surrendered;

K. whereas on 2 February 2018 Enrique Aristeguieta Gramcko was kidnapped from his home at night by the intelligence services, with no information given about his whereabouts, and released the following day;

L. whereas a growing number of people in Venezuela, including children, are suffering from malnutrition as a consequence of limited access to quality health services, medicines and food; whereas, regrettably, the Venezuelan Government persists in denying the problem and refusing to receive and facilitate the distribution of international humanitarian aid; whereas Venezuelans have been seeking to buy food and essential supplies on the Caribbean islands owing to severe shortages at home;

1. Deplores the unilateral decision by the illegitimate National Constituent Assembly, which is recognised neither internationally nor by the EU, to call early presidential elections by the end of April 2018; deeply deplores the Venezuelan Supreme Court’s recent ruling prohibiting MUD representatives from competing in the upcoming elections; points out that many potential candidates will be unable able to run for elections because they are exiled, subject to administrative disqualifications, imprisoned or under house arrest; insists that no obstacles or conditions should be imposed as regards the participation of political parties and calls on the Venezuelan authorities to fully restore their eligibility rights;

2. Insists that only elections based on a viable electoral calendar, agreed in the context of the national dialogue with all relevant actors and political parties, and respecting equal, fair and transparent conditions of participation — including the lifting of bans on political opponents, without political prisoners, and ensuring the National Electoral Council is balanced in composition and impartial and with the existence of sufficient guarantees, including monitoring by independent international observers — will be recognised by the EU and its institutions, including the European Parliament; recalls its readiness to send an Electoral Observation Mission if all the necessary conditions are met;

3. Strongly condemns the decision by the Venezuelan authorities to expel the Spanish Ambassador in Caracas and declare him ‘persona non grata’, and insists that the Venezuelan Government immediately restore its normal diplomatic relations with Spain; recalls that all EU decisions in the area of foreign policy, including imposing sanctions, are taken by unanimity; calls, in this regard, for full solidarity with Spain;

4. Considers the imposition by the Council of the EU of the arms embargo, and the sanctions levied against seven Venezuelan officials to be appropriate measures in response to grave breaches of human rights and democracy, but calls for them to be extended against those mainly responsible for the increased political, social, economic and humanitarian crisis, namely the President, the Vice-President, the Minister of Defence, members of the high military command, and members of their inner circles, including family members; suggests that, if the human rights situation continues to deteriorate, further diplomatic and economic actions could be explored and adopted, including those related to the state-owned oil company Petróleos de Venezuela, S.A. (PDVSA);

5. Condemns in the strongest terms the continued violation of the democratic order in Venezuela; reiterates its full support of the National Assembly as the only legally constituted and recognised parliament in Venezuela, and calls on the Venezuelan Government to restore its full constitutional authority; rejects any decisions taken by the National Constituent Assembly as being in breach of all democratic standards and rules; expresses its support for the political solution in the context of all relevant actors and political parties; recalls that separation and non-interference between the branches of government is an essential principle of democratic states guided by the rule of law;

6. Calls on the ICC Prosecutor, under the Rome Statute provisions, to open investigations into the human rights violations perpetrated by the Venezuelan regime, and calls for the EU to play an active role in this regard;
7. Reiterates its previous calls for the immediate and unconditional release of all political prisoners, respect for democratically elected bodies and the upholding of human rights;

8. Expresses its solidarity and full support to the people of Venezuela who are suffering the effects of a severe humanitarian crisis; calls for immediate agreement to be reached on a humanitarian emergency access plan for the country, and calls on the Venezuelan authorities to allow unimpeded humanitarian aid as a matter of urgency, and to grant permission to international organisations that wish to assist the public; calls for the rapid implementation of a short-term response to counter malnutrition among the most vulnerable groups, such as children; calls for the EU to help neighbouring countries, and in particular Colombia, to address the situation of the Venezuelan refugees; calls on the Venezuelan Government to provide Venezuelans living abroad and entitled to receive such social security rights with their pensions;

9. Reiterates its request for a European Parliament delegation to be sent to Venezuela and to hold a dialogue with all sectors involved in the conflict as soon as possible;

10. 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 Government and National Assembly of the Bolivarian Republic of Venezuela, the Euro-Latin American Parliamentary Assembly and the Secretary-General of the Organisation of American States.
Situation of UNRWA

European Parliament resolution of 8 February 2018 on the situation of UNRWA (2018/2553(RSP))

(2018/C 463/11)

The European Parliament,

— having regard to its previous resolutions on the Middle East Peace Process,

— having regard to the Joint Declaration of the European Union and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) of 7 June 2017 on European Union support to UNRWA (2017-2020),

— having regard to UN General Assembly resolutions 194 of 11 December 1948 and 302 of 8 December 1949, and to other relevant UN resolutions,

— having regard to the report of the UN Secretary-General of 30 March 2017 entitled ‘Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East’,

— having regard to Rule 123(2) and (4) of its Rules of Procedure,

A. whereas UNRWA is a UN agency established by the General Assembly in 1949 and mandated to provide assistance and protection to some 5 million registered Palestine refugees; whereas UNRWA’s services encompass education, healthcare, relief and social services, camp infrastructure and improvement, protection and microfinance; whereas the UN General Assembly has renewed UNRWA’s mandate many times, most recently until 30 June 2020 by a vote of 167 UN member states;

B. whereas the EU and its Member States, taken together, are the largest donor to UNRWA, contributing EUR 441 million in 2017; whereas the United States, as the largest single-country donor, has announced that it will contribute USD 60 million but withhold USD 65 million from a scheduled payment of USD 125 million to UNRWA; whereas this decision was, according to the State Department, intended to encourage other countries to increase aid as well as to promote reform within the Agency;

C. whereas UNRWA has been facing major structural financial shortcomings for many years and would have faced continued difficulties in 2018 independently of the decision of the US government;

D. whereas in his report of 30 March 2017 the UN Secretary-General made several recommendations aimed at ensuring adequate, predictable and sustainable funding for UNRWA:

1. Remains firmly committed to supporting UNRWA in its provision of vital services for the wellbeing, protection and human development of Palestine refugees in the Gaza Strip, the West Bank, Jordan, Lebanon and Syria; applauds UNRWA for its extraordinary efforts, including in protecting and supporting more than 400,000 Palestine refugees, and many others, in war-torn Syria; recalls that UNRWA was established in the spirit of solidarity with Palestine refugees in order to alleviate their suffering;

2. Expresses its concern at UNRWA’s funding crisis; urges all donors to honour their promises to the Agency;
3. Notes that any unexpected reductions or delays in predicted donor disbursements to UNRWA can have damaging impacts on access to emergency food assistance for 1.7 million Palestine refugees and primary healthcare for 3 million, on access to education for more than 500,000 Palestinian children in 702 UNRWA schools, including almost 50,000 children in Syria, and on stability in the region;

4. Notes that the EU is committed to continue assisting UNRWA in securing financial resources to enable it to implement the mandate given by the UN General Assembly, to operate on a sustainable and cost-effective basis and to ensure the quality and level of services provided to Palestine refugees;

5. Welcomes the decisions made by the EU and several of its Member States to fast-track funding to UNRWA and urges other donors to follow this example; urges the United States to reconsider its decision and to honour the payment of its entire scheduled contribution to the Agency; welcomes the contributions of member states of the Arab League to UNRWA, but calls on them to increase their commitment in order to close the funding gap;

6. Encourages the European Union and its Member States to mobilise additional funding for UNRWA in order to meet its short-term financial needs; stresses, however, that any long-term solution to the recurrent financial shortages of the Agency can only be achieved through a sustainable funding scheme in a global multilateral framework; urges the EU to play a leading role in the international community to establish such a mechanism; underlines the importance of the recommendations made by the UN Secretary-General in his report of 30 March 2017 in this regard;

7. Welcomes the fact that UNRWA envisages sustaining internal measures aimed at containing costs and achieving further efficiency gains while pursuing other areas where efficiencies may be possible; urges the Agency to continue to improve its management structure and strategic planning towards enhanced transparency, accountability and internal oversight, to ensure timely and accurate programme and financial reporting to the EU, to ensure that UNRWA facilities are not misused, to investigate allegations of neutrality violations by its staff members and to take appropriate disciplinary action where appropriate; stresses the importance of respecting the neutrality of UNRWA installations in line with international humanitarian law and the UN diplomatic status of the Agency;

8. Reiterates that the EU's main objective is to achieve the two-state solution to the Israeli-Palestinian conflict on the basis of the 1967 borders, with Jerusalem as the capital of both states, with the secure State of Israel and an independent, democratic, contiguous and viable Palestinian State living side by side in peace and security, on the basis of the right of self-determination and full respect for international law;

9. 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 EU Special Representative for the Middle East Peace Process, the parliaments and governments of the Member States, the Secretary-General of the United Nations, the Commissioner-General of UNRWA, the Quartet Envoy to the Middle East, and the Congress and State Department of the United States.
Time change arrangements

European Parliament resolution of 8 February 2018 on time change arrangements (2017/2968(RSP))

(2018/C 463/12)

The European Parliament,

— having regard to Article 114 of the Treaty on the Functioning of the European Union,
— having regard to the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on better law-making (2),
— having regard to Rule 123(2) of its Rules of Procedure,

A. whereas according to the Interinstitutional Agreement on better law-making, the evaluation of existing legislation should provide a basis for impact assessments as regards options for future action;
B. whereas numerous scientific studies, including the European Parliamentar y Research Service study of October 2017 on EU summer-time arrangements under Directive 2000/84/EC, have failed to come to a conclusive outcome, but have instead indicated the existence of negative effects on human health;
C. whereas a number of citizens’ initiatives have highlighted citizens’ concerns about the biannual clock change;
D. whereas Parliament has raised this issue before, for example in Oral Question O-000111/2015 — B8-0768/2015 to the Commission of 25 September 2015;
E. whereas it is crucial to maintain a unified EU time regime even after the end of biannual time changes;

1. Calls on the Commission to conduct a thorough assessment of Directive 2000/84/EC and, if necessary, come up with a proposal for its revision;
2. Instructs its President to forward this resolution to the Commission, the Council, and the governments and parliaments of the Member States.


(2018/C 463/13)

The European Parliament,

— having regard to the draft Commission regulation (D054380/02,

— having regard to Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards (1), and in particular Article 3(1) thereof,

— having regard to the Commission’s letter of 18 December 2017 asking Parliament to declare that it will raise no objections to the draft regulation,

— having regard to the letter from the Committee on Economic and Monetary Affairs to the Chair of the Conference of Committee Chairs of 24 January 2018,

— having regard to Article 5a of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (2),

— having regard to the recommendation for a decision by the Committee on Economic and Monetary Affairs,

— having regard to Rules 106(4)(d) and 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 6 February 2018,

A. whereas the International Accounting Standards Board (IASB) issued on 12 October 2017 amendments to International Financial Reporting Standard (IFRS) 9 — Financial Instruments; whereas those amendments are aimed at creating clarity and consistency in the classification of debt instruments with negative prepayment options;

B. whereas the European Financial Reporting Advisory Group (EFRAG) provided the Commission with positive endorsement advice on 10 November 2017; whereas in its advice the EFRAG covers some of the issues raised by the European Central Bank in its letter dated 8 November 2017 to the EFRAG;

C. whereas the Commission concluded that the interpretation meets the technical criteria for adoption as required by Article 3(2) of Regulation (EC) No 1606/2002 and maintains that this proposed amendment would merely retain the status quo of accounting on amortised cost for these specific instruments as applicable before the introduction of IFRS 9;
D. whereas the IASB set the effective date for this amendment to IFRS 9 as of 1 January 2019 with earlier application permitted; whereas accounting for financial instruments under IFRS 9 is required already as of 1 January 2018; whereas financial institutions subject to IFRS accounting cannot use the treatment under this proposed amendment before its endorsement and publication;

E. whereas the Commission was aiming for the amendments to Regulation (EC) No 1126/2008 of 3 November 2008 adopting certain international accounting standards (1) to be published before the end of March 2018 in order to be applicable for financial periods starting on or after 1 January 2018;

1. Declares that it has no objections to the draft Commission regulation;

2. Instructs its President to forward this decision to the Commission, and, for information, to the Council.

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN PARLIAMENT

P8_TA(2018)0020

Request for waiver of the immunity of Steeve Briois

European Parliament decision of 6 February 2018 on the request for waiver of the immunity of Steeve Briois (2017/2221(IMM))

(2018/C 463/14)

The European Parliament,

— having regard to the request for waiver of the immunity of Steeve Briois, forwarded on 25 September 2017 by the Minister of Justice of the French Republic at the request of the Prosecutor General of the Court of Appeal of Douai in relation to a complaint filed against Mr Briois by a civil party for the offence of public insult directed at an individual (‘injures publiques envers un particulier’), and announced in plenary on 2 October 2017,

— having regard to the additional information on the case provided by the Public Prosecutor of the Douai Regional Court in a letter dated 12 December 2017,

— having heard Steeve Briois in accordance with Rule 9(6) 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 Article 26 of the Constitution of the French Republic,

— 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 (A8-0011/2018).

A. whereas the Prosecutor General of the Court of Appeal of Douai has requested the waiver of the parliamentary immunity of a Member of the European Parliament, Steeve Briois, in connection with legal proceedings pending before the Douai Regional Court; whereas this request was forwarded to Parliament by the Minister of Justice of the French Republic;

B. whereas the request for the waiver of Mr Briois’s immunity is related to legal proceedings instituted in relation to the offence of public insult directed at an individual (the second paragraph of Article 29, the second paragraph of Article 33 and Article 23 of the Act of 29 July 1881) in connection with allegedly defamatory comments that a number of internet users posted in response to a text that Mr Briois had published on 23 December 2015 on his Facebook page and that were not promptly removed by Mr Briois; whereas, at the request of the Committee on Legal Affairs, the Public Prosecutor of the Douai Regional Court stated that the aforementioned comments were certainly still online on 21 November 2017;

C. whereas pursuant to Article 8 of Protocol No 7, Members of the European Parliament shall not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties;

D. whereas pursuant to Article 9 of Protocol No 7, during the sessions of the European Parliament, its Members shall enjoy, in the territory of their own State, the immunities accorded to members of their parliament;

E. whereas, among other things, Article 26 of the Constitution of the French Republic provides that no member of Parliament may be arrested for a crime or be the subject of any other custodial or semi-custodial measure without the authorisation of the Parliament;

F. whereas Articles 8 and 9 of Protocol No 7 are mutually exclusive (1);

G. whereas the allegations against Steeve Briois, and the subsequent request for waiver of his immunity, are not related to an opinion expressed or vote cast by him in the performance of his duties as a Member of the European Parliament, but to the fact that he allegedly failed to remove from his official Facebook page a number of comments posted by third parties and perceived by the person targeted as insulting;

H. whereas, as a consequence, the immunity accorded by Article 8 of Protocol No 7 is not applicable and the case in point falls entirely within Article 9 of the same Protocol;

I. whereas there is no apparent evidence of fumus persecutionis, that is, a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member concerned;

1. Decides to waive the immunity of Steeve Briois;

2. Instructs its President to forward this decision and the report of its committee responsible immediately to the Minister of Justice of the French Republic and to Steeve Briois.

(1) Joined Cases C-200/07 and C-201/07, Marrè, cited above, paragraph 45.
EU-Brazil Agreement for scientific and technological cooperation ***

European Parliament legislative resolution of 6 February 2018 on the draft Council decision concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and the Federative Republic of Brazil (11040/2017 — C8-0320/2017 — 2017/0139(NLE))

(Consent)

(2018/C 463/15)

The European Parliament,

— having regard to the draft Council decision (11040/2017),
— having regard to the request for consent submitted by the Council in accordance with Article 186 and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C8-0320/2017),
— having regard to Rule 99(1) and (4) and Rule 108(7) of its Rules of Procedure,
— having regard to the recommendation of the Committee on Industry, Research and Energy (A8-0004/2018),

1. Gives its consent to renewal 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 of the Federative Republic of Brazil.

Setting up a special committee on the Union’s authorisation procedure for pesticides

European Parliament decision of 6 February 2018 on setting up a special committee on the Union’s authorisation procedure for pesticides, its responsibilities, numerical strength and term of office (2018/2534(RSO))

(2018/C 463/16)

The European Parliament,

— having regard to the proposal for a decision of the Conference of Presidents,


— having regard to Commission Implementing Regulation (EU) 2016/1056 of 29 June 2016 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval period of the active substance glyphosate (3) and Commission Implementing Regulation (EU) 2016/1313 of 1 August 2016 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance glyphosate (4),


— having regard to its resolutions of 13 April 2016 (6) and of 24 October 2017 (7) 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,

— having regard to the decision of the European Ombudsman of 18 February 2016 in Case 12/2013/MDC on the practices of the Commission regarding the authorisation and placing on the market of plant protection products (pesticides),


— having regard to the judgment of the Court of Justice of the European Union of 23 November 2016 in Case C-442/14 Bayer CropScience SA-NV, Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden,

— having regard to Rule 197 of its Rules of Procedure,

A. whereas concerns have been raised about the assessment of glyphosate, in particular as to whether an independent, objective and transparent assessment has taken place, whether the classification criteria of Regulation (EC) No 1272/2008 of the European Parliament and of the Council (1) have been properly applied, and whether relevant guidance documents have been properly used;

B. whereas concerns have been raised with regard to the application by the Commission of the approval criteria and precautionary principle laid down in Regulation (EC) No 1107/2009 when granting the technical extension of the approval of glyphosate in 2016, when adopting Implementing Regulation (EU) 2016/1313, and when adopting Implementing Regulation (EU) 2017/2324;

1. Decides to set up a special committee on the Union’s authorisation procedure for pesticides, vested with the following strictly defined responsibilities:

(a) to analyse and assess the authorisation procedure for pesticides in the Union, including the methodology used and its scientific quality, the procedure’s independence from industry, and the transparency of the decision-making process and its outcomes;

(b) to analyse and assess, using an evidence-based approach, the potential failures in the scientific evaluation of the approval, or renewal of approval, of active substances such as glyphosate by the relevant EU agencies, as well as compliance by the EU agencies with the relevant Union rules, guidelines and codes of conduct in force;

(c) to analyse and assess, in particular, whether the Commission has acted in accordance with the provisions of Regulation (EC) No 1107/2009 when taking decisions with regard to the conditions of approval of glyphosate and the renewal of approval of glyphosate;

(d) to analyse and assess possible conflicts of interest at all levels of the approval procedure, including at the level of the national bodies of the rapporteur Member State in charge of the assessment report drawn up in accordance with Regulation (EC) No 1107/2009;

(e) to analyse and assess whether the EU agencies responsible for the evaluation and classification of active substances are adequately staffed and financed so as to enable them to fulfil their obligations; to analyse and assess the possibility of commissioning and/or conducting independent research and testing, and the financing thereof;

(f) to make any recommendations that it considers necessary with regard to the Union authorisation procedure for pesticides in order to achieve a high level of protection of both human and animal health and the environment; to undertake visits and hold hearings to this end with the EU institutions and relevant agencies, as well as with international and national institutions, non-governmental organisations and private bodies;

2. Stresses that any recommendation of the special committee shall be presented to and, if necessary, followed up by Parliament’s competent standing committees;

3. Decides that the powers and available resources of Parliament’s standing committees with responsibility for matters concerning the adoption, monitoring and implementation of Union legislation relating to the area of responsibility of the special committee shall remain unchanged;

4. Decides that whenever the special committee work includes the hearing of evidence of a confidential nature, testimonies involving personal data, or includes the exchange of views or hearings with authorities and bodies on confidential information, including scientific studies or parts thereof granted confidentiality status under Article 63 of Regulation (EC) No 1107/2009, the meetings shall be held in camera; decides further that witnesses and experts shall have the right to make a statement or to provide testimony in camera;

5. Decides that the lists of people invited to public meetings, the lists of those who attend them and the minutes of such meetings shall be made public;

6. Decides that confidential documents that have been received by the special committee shall be assessed in accordance with the procedure set out in Rule 210a of its Rules of Procedure; decides further that such information shall be used exclusively for the purposes of drawing up the final report of the special committee;

7. Decides that the special committee shall have 30 members, in accordance with Rule 199(1) of its Rules of Procedure;

8. Decides that the term of office of the special committee shall be nine months, except where Parliament extends that period before its expiry, and that its term of office shall run from the date of its constituent meeting; decides that the special committee shall present a final report to Parliament containing factual findings and recommendations as to measures and initiatives to be taken.
The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0289),

— 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 (C8-0192/2016),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Austrian Federal Council, 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 19 October 2016 (1),

— having regard to the provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 29 November 2017 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 the Internal Market and Consumer Protection and the opinions of the Committee on Legal Affairs, the Committee on Industry, Research and Energy and the Committee on Culture and Education (A8-0172/2017),

1. Adopts its position at first reading hereinafter set out;

2. Takes note of the statement by the Commission annexed to this resolution, which will be published in the L series of the Official Journal of the European Union together with the final legislative act;

3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

(1) OJ C 34, 2.2.2017, p. 93.
P8_TC1-COD(2016)0152


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Regulation (EU) 2018/302).
The Commission takes note of the text of Article 9 agreed by the European Parliament and the Council.

Without prejudice to its right of initiative pursuant to the Treaty, the Commission wishes in this context to affirm that, in accordance with Article 9, in its first evaluation of this Regulation, due within two years after the entry into force of the Regulation, it will thoroughly assess the way in which the Regulation has been implemented and contributed to the effective functioning of the internal market. In so doing, it will take account of the increasing expectations of consumers especially of those that lack access to copyright protected services.

As part of the evaluation, it will also perform a substantive analysis of the feasibility and potential costs and benefits arising from any changes to the scope of the Regulation, in particular with regard to the possible deletion of the exclusion of electronically supplied services the main feature of which is the provision of access to or use of copyright protected works or other protected subject matter from Article 4(1)(b) where the trader has the required rights for the relevant territories, taking due account of the likely impacts any extension of the scope of the Regulation would have on consumers and businesses, and on the sectors concerned, across the European Union. The Commission will also carefully analyse whether in other sectors, including those not covered by Directive 2006/123/EC which are also excluded from the scope of the Regulation pursuant to its Article 1(3), such as services in the field of transport and audio-visual services, any remaining unjustified restrictions based on nationality, place of residence or place of establishment should be eliminated.

If in the evaluation the Commission comes to the conclusion that the scope of the Regulation needs to be amended, the Commission will accompany it with a legislative proposal accordingly.
The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2015)0337),

— having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0190/2015),

— 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 9 December 2015 (1),

— having regard to the opinion of the Committee of the Regions of 7 April 2016 (2),

— having regard to the provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 22 November 2017 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 the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy and of the Committee on Development (A8-0003/2017),

1. Adopts its position at first reading hereinafter set out (3);

2. Takes note of the statements by the Commission annexed to this resolution;

3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

(2) OJ C 240, 1.7.2016, p. 62.
(3) This position replaces the amendments adopted on 15 February 2017 (Texts adopted, P8_TA(2017)0035).
Tuesday 6 February 2018

P8_TC1-COD(2015)0148


(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2018/410).
ANNEX TO THE LEGISLATIVE RESOLUTION

STATEMENTS BY THE COMMISSION

Linear Reduction Factor (LRF)

The EU ETS is the EU’s key instrument to achieving the EU climate goal of limiting global average temperature increase to well below 2 degrees Celsius above pre-industrial level as also agreed in the context of the Paris Agreement. In line with this objective and the 2030 climate and energy policy framework, the revision of the EU ETS and the increase of the linear reduction factor from 1.74% to 2.2% are the first steps in delivering on the EU’s target to reduce greenhouse gas emissions by at least 40% domestically by 2030. The Commission acknowledges that further efforts and more ambition are needed to achieve the EU’s 2050 GHG objective to reduce GHG emissions in line with reaching the long-term targets of the Paris Agreement and its Impact Assessment accompanying the 2030 climate and energy framework states that the cap equal to this level would require a further increase of the linear reduction factor until 2050. As part of any future review of this Directive, the Commission undertakes to consider an increase of the linear reduction factor in the light of international developments calling for an increased stringency of Union policies and measures.

Maritime emissions

The Commission takes note of the European Parliament’s proposal. In April 2018, the IMO is expected to decide on the initial GHG emission reduction strategy for ships. The Commission will swiftly assess and duly report on this outcome, in particular the emission reduction objectives and list of candidate measures to achieve them, including the timeline for adoption of such measures. When doing so it will consider which next steps are appropriate to ensure a fair contribution of the sector, including the way forward proposed by Parliament. In the context of new legislative measures on maritime greenhouse gas emissions, the Commission will duly consider amendments in this regard adopted by the European Parliament.

Just transition in coal and carbon-intensive regions

The Commission re-iterates the commitment to develop a dedicated initiative which will provide tailor made support for the just transition in coal and carbon-intensive regions in Member States concerned.

To this end, it will work in partnership with the stakeholders of these regions to provide guidance, in particular for the access to and use of relevant funds and programmes, and encourage exchange of good practices, including discussions on industrial roadmaps and re-skilling needs.

CCU

The Commission takes note of the European Parliament’s proposal to exempt emissions verified as captured and used ensuring a permanent bound from surrender obligations under the EU ETS. Such technologies are currently insufficiently mature for a decision on their future regulatory treatment. In view of the technological potential of CO₂ Carbon Capture and Use (CCU) technologies, the Commission undertakes to consider their regulatory treatment in the course of the next trading period, with a view to considering whether any changes to the regulatory treatment are appropriate by the time of any future review of the Directive. In this regard, the Commission will give due consideration to the potential of such technologies to contribute to substantial emissions reductions while not compromising the environmental integrity of the EU ETS.
Non-objection to a delegated act: dates of application of two Delegated Regulations

European Parliament decision to raise no objections to the Commission delegated regulation of 20 December 2017 amending Delegated Regulation (EU) 2017/2358 and Delegated Regulation (EU) 2017/2359 as regards their dates of application (C(2017)08681 — 2017/3032(DEA))

The European Parliament,
— having regard to the Commission delegated regulation (C(2017)08681) (the amending delegated regulation),
— having regard to the letter from the Committee on Economic and Monetary Affairs to the Chair of the Conference of Committee Chairs of 24 January 2018,
— having regard to Article 290 of the Treaty on the Functioning of the European Union,
— having regard to Directive (EU) 2016/97 of the European Parliament and of the Council of 20 January 2016 on insurance distribution (1), and in particular Article 25(2), Article 28(4), Article 29(4) and (5), Article 30(6) and Article 39(5) thereof,
— having regard to the recommendation for a decision by the Committee on Economic and Monetary Affairs,
— 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 6 February 2018,

A. whereas the amending delegated regulation should apply before 23 February 2018, the date of entry into force of Commission Delegated Regulation (EU) 2017/2358 and of Commission Delegated Regulation (EU) 2017/2359 (the two delegated regulations), and full use of the three-month scrutiny period available to Parliament could lead to the two delegated regulations entering into force before the amended date of application of Directive (EU) 2016/97 (IDD), 1 October 2018, as proposed by the Commission in its proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2016/97 as regards the date of application of Member States’ transposition measures (COM(2017)0792);

B. whereas a swift publication of the amending delegated regulation in the Official Journal would allow for the alignment of the dates of application of the two delegated regulations with the amended date of application of IDD;

C. whereas this corresponds to Parliament’s decisions of 25 October 2017 (2) to raise no objections to the two delegated regulations, in which it requests the Commission to assess whether the application date of IDD could be extended to 1 October 2018;

1. Declares that it has no objections to the amending delegated regulation;
2. Instructs its President to forward this decision to the Council and the Commission.

The European Parliament,
— having regard to Article 14(2) of the Treaty on European Union (TEU),
— having regard to Article 10 TEU (1);
— having regard to its resolution of 13 March 2013 on the composition of the European Parliament with a view to the 2014 elections (2),
— having regard to its resolution of 11 November 2015 on the reform of the electoral law of the European Union, and the annexed proposal for a Council decision adopting the provisions amending the Act concerning the election of the members of the European Parliament by direct universal suffrage (3);
— having regard to the Good Friday Agreement of 10 April 1998;
— having regard to Rules 45, 52 and 84 of its Rules of Procedure,
— having regard to the report of the Committee on Constitutional Affairs (A8-0007/2018),
A. whereas the composition of the European Parliament must respect the criteria laid down in the first subparagraph of Article 14(2) TEU, namely representatives of the Union’s citizens not exceeding seven hundred and fifty in number, plus the President, representation being degressively proportional, with a minimum threshold of six members per Member State, and no Member State being allocated more than ninety-six seats;
B. whereas Article 14(2) TEU states that the European Parliament shall be composed of representatives of the Union’s citizens;
C. whereas the TEU and the Treaty on the Functioning of the European Union emphasise the importance of equality and equal treatment of citizens by Union institutions; whereas it is essential to enhance the equality of representation with a view to increasing the legitimacy of the European Parliament as the legislative body representing Union citizens;
D. whereas the European Parliament has examined a number of proposals for a permanent system for the distribution of seats based on mathematical formulas that were commissioned by, and presented to, it;
E. whereas on 29 March 2017 and in accordance with Article 50(2) TEU, the UK government notified the European Council of its intention to leave the European Union and whereas the two-year timeframe for the negotiation and conclusion of a withdrawal agreement ends on 29 March 2019, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period;
F. whereas, unless the current legal situation changes, the United Kingdom will no longer be a member of the European Union at the time of the next European elections in 2019;

(1) That article stipulates that ‘citizens are directly represented at Union level in the European Parliament’
(2) Texts adopted, P7_TA(2013)0082.
(3) Texts adopted, P8_TA(2015)0395
G. whereas several Member States have recently voiced support for the creation of a joint constituency as from the European elections in 2019; whereas a precondition for the establishment of a joint constituency is a modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage, which should be adopted at least one year before the European elections as stipulated in the Venice Commission’s Code of Good Practice in Electoral Matters;

H. whereas in its proposal of 11 November 2015 for a Council decision adopting the provisions amending the Act concerning the election of the members of the European Parliament by direct universal suffrage the European Parliament demanded the introduction of an obligatory threshold for constituencies, and for single-constituency Member States, in which the list system is used and that comprise more than a certain number of seats; considers that this threshold needs to be established taking into account the new allocation of seats;

1. Notes that the current allocation of seats in the European Parliament as established in European Council Decision 2013/312/EU only applies to the 2014-2019 parliamentary term; stresses, therefore, that a new decision on the composition of the European Parliament for the 2019-2024 parliamentary term is required;

2. Acknowledges the fact that that the current distribution of seats does not respect the principle of degressive proportionality in several instances, and therefore must be corrected for the composition of the European Parliament as of the next European elections in 2019;

3. Recognises that a number of Member States consider that the voting system in the Council needs to be taken into consideration when deciding on the allocation of seats in the European Parliament;

4. Underlines that, whilst the mathematical formulas display great potential for providing a permanent system for the distribution of seats in the future, it is politically unvi able for Parliament to suggest a permanent system at this stage;

5. Acknowledges the fact that, unless the current legal situation changes, the United Kingdom will no longer be a Member State at the time of the next European elections in 2019;

6. Proposes that a new allocation of seats in Parliament, which respects the criteria laid down in Article 14 TEU, is applied as of the next European elections in 2019; considers that, in case the abovementioned legal situation concerning the United Kingdom’s withdrawal from the European Union changes, the allocation of seats applied during the 2014-2019 parliamentary term should apply until the withdrawal of the United Kingdom from the European Union becomes legally effective;

7. Underlines that the seats to be vacated by the United Kingdom upon its withdrawal from the European Union will facilitate the adoption of a new allocation of seats in Parliament, which will implement the principle of degressive proportionality; further underlines that the new allocation proposed would allow for a reduction in the size of Parliament; notes that the use of only a fraction of the seats vacated by the United Kingdom is sufficient to ensure no loss of seats for any Member State;

8. Underlines that the reduction in the size of Parliament would leave a number of seats to accommodate potential future enlargements of the European Union;

9. Recalls that under the Good Friday Agreement, the people of Northern Ireland have an inherent right to hold British or Irish citizenship, or both, and by virtue of the right to Irish citizenship, to citizenship of the Union as well;

10. Recalls that degressive proportionality, as defined by the Treaties, is based on the number of seats per Member State and not on the nationality of the candidates;

11. Calls on the Council to rapidly finalise the revision of the Act concerning the election of the members of the European Parliament by direct universal suffrage;
12. Underlines that the reform of the Act concerning the election of the members of the European Parliament by direct universal suffrage proposed by the European Parliament will strengthen the European character of the elections and send a positive message for the future of the European project:

13. Considers that the proposed distribution based on the principles of the Treaties provides a solid foundation for a method to determine the allocation of seats in the future respecting the criteria of Article 14 TEU, in particular the principle of degressive proportionality, as well as being fair, transparent, objective, in line with the most recent demographic shifts, and understandable to European citizens;

14. Submits to the European Council the annexed proposal for a decision of the European Council establishing the composition of the European Parliament, on the basis of its right of initiative laid down in Article 14(2) TEU; underlines the urgent need to adopt that decision, which requires its consent, so that the Member States can enact, in good time, the necessary domestic provisions to enable them to organise the European elections for the 2019-2024 parliamentary term;

15. Instructs its President to forward this resolution and the proposal for a decision of the European Council annexed hereto, together with the aforementioned report of its Committee on Constitutional Affairs, to the European Council, the Commission and the governments and parliaments of the Member States.
ANNEX TO THE EUROPEAN PARLIAMENT RESOLUTION

Proposal for a
DECISION OF THE EUROPEAN COUNCIL
establishing the composition of the European Parliament

THE EUROPEAN COUNCIL,

Having regard to the Treaty on European Union, and in particular Article 14(2) thereof,

Having regard to the initiative of the European Parliament,

Having regard to the consent of the European Parliament,

Whereas:

(1) The first subparagraph of Article 14(2) of the Treaty on European Union lays down the criteria for the composition of Parliament, namely representatives of the Union’s citizens not exceeding seven hundred and fifty in number, plus the President, representation being degressively proportional, with a minimum threshold of six members per Member State, and no Member State being allocated more than ninety-six seats,

(2) Article 10 of the Treaty on European Union provides, inter alia, that the functioning of the Union shall be founded on representative democracy with citizens being directly represented at Union level in the European Parliament and Member States being represented by their governments, themselves being democratically accountable to their national Parliaments or citizens, in the Council. Article 14(2) of the Treaty on European Union on the composition of the European Parliament therefore applies within the context of the wider institutional arrangements set out in the Treaties, which also include the provisions on decision making in the Council,

HAS ADOPTED THIS DECISION:

Article 1

In the application of the provisions of Article 14(2) of the Treaty on European Union, the following principles shall be respected:

— the allocation of seats in the European Parliament shall fully utilise the minimum and maximum thresholds per Member State set by the Treaty on European Union in order to reflect as closely as possible the sizes of the respective populations,

— degressive proportionality shall be defined as follows: the ratio between the population and the number of seats of each Member State before rounding to whole numbers shall vary in relation to their respective populations in such a way that each Member of the European Parliament from a more populous Member State represents more citizens than each Member from a less populous Member State and, conversely, that the larger the population of a Member State, the greater its entitlement to a large number of seats,

— the allocation of seats shall reflect demographic developments in Member States.

Article 2

The total population of the Member States is calculated by the Commission (Eurostat) on the basis of the most recent data provided by the Member States, in accordance with a method established by means of Regulation (EU) No 1260/2013 of the European Parliament and of the Council (1).

Article 3

1. The number of representatives in the European Parliament elected in each Member State is hereby set as follows for the 2019-2024 parliamentary term:

<table>
<thead>
<tr>
<th>Country</th>
<th>Number</th>
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<tbody>
<tr>
<td>Belgium</td>
<td>21</td>
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<tr>
<td>Bulgaria</td>
<td>17</td>
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<tr>
<td>Czech Republic</td>
<td>21</td>
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<tr>
<td>Denmark</td>
<td>14</td>
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<td>Germany</td>
<td>96</td>
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<tr>
<td>Estonia</td>
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<tr>
<td>Ireland</td>
<td>13</td>
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<td>Greece</td>
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<td>Spain</td>
<td>59</td>
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<td>France</td>
<td>79</td>
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<td>Croatia</td>
<td>12</td>
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<td>Italy</td>
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<td>Cyprus</td>
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<td>Latvia</td>
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<td>Lithuania</td>
<td>11</td>
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<td>Luxembourg</td>
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<td>Hungary</td>
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<tr>
<td>Malta</td>
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<td>Netherlands</td>
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<td>Austria</td>
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<td>Poland</td>
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<td>Portugal</td>
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<td>Romania</td>
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<td>Slovenia</td>
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<td>Slovakia</td>
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<td>Finland</td>
<td>14</td>
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<td>Sweden</td>
<td>21</td>
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</table>

2. However, in case the United Kingdom is still a Member State of the Union at the beginning of the 2019-2024 parliamentary term, the number of representatives in the European Parliament per Member State taking up office shall be the one provided for in Article 3 of the European Council Decision 2013/312/EU (1) until the withdrawal of the United Kingdom from the European Union becomes legally effective.

Once the United Kingdom's withdrawal from the European Union becomes legally effective, the number of representatives in the European Parliament elected in each Member State shall be the one indicated in paragraph 1 of this Article.

All representatives in the European Parliament who fill the additional seats resulting from the difference between the number of seats allocated in the first and second subparagraphs of this paragraph shall take up their seats in Parliament at the same time.

**Article 4**

Sufficiently far in advance of the beginning of the 2024-2029 parliamentary term, the European Parliament shall submit to the European Council, in accordance with Article 14(2) of the Treaty on European Union, a proposal for an updated allocation of seats.

**Article 5**

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at …

*For the European Council*

*The President*

(2018/C 463/21)

The European Parliament,

— having regard to the decision of the Conference of Presidents of 5 October 2017,

— having regard to the exchange of letters between its President and the President of the Commission, in particular the letter dated 2 October 2017 from the latter, which agrees to the drafting proposals submitted by its President on 7 September 2017,

— having regard to the Framework Agreement on relations between the European Parliament and the European Commission (1) and to the draft amendments thereto,

— having regard to Article 10(1) and (4) and Article 17(3) and (7) of the Treaty on European Union (TEU) and Article 245 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to Article 41 of the Charter of Fundamental Rights of the European Union,

— having regard to Article 295 TFEU,

— having regard to the Commission Work Programme for 2017 (2),

— having regard to its resolution of 11 November 2015 on the reform of the electoral law of the European Union (3),

— having regard to its resolution of 1 December 2016 on Commissioners’ declarations of interests — guidelines (4),

— having regard to its resolution of 16 February 2017 on improving the functioning of the European Union building on the potential of the Lisbon Treaty (5),

— having regard to its resolution of 14 September 2017 on transparency, accountability and integrity in the EU institutions (6),

— having regard to the draft Commission decision of 12 September 2017 on a Code of Conduct for the Members of the European Commission, in particular Article 10 thereof on participation in European politics during the term of office,

— having regard to the update of the study by its Directorate-General for Internal Policies entitled ‘The Code of Conduct for Commissioners — improving effectiveness and efficiency’,

— having regard to Rule 140(1) of its Rules of Procedure,

— having regard to the report of the Committee on Constitutional Affairs (A8-0006/2018).

A. whereas Article 10(1) TEU states that the functioning of the Union is founded on representative democracy, and whereas the Commission, as the Union’s executive, plays a decisive role in the functioning of the Union;

B. whereas Article 10(3) and Article 11 TEU confer on the citizens of the Union the right to participate in the democratic life of the Union;

C. whereas Article 17(3) TEU states that, in carrying out its responsibilities, the Commission shall be completely independent, that the members of the Commission are to be chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt and that they are neither to seek nor take instructions from any Government or other institution, body, office or entity;

D. whereas the aim of the draft amendments is to implement democratic principles when electing the President of the Commission, in accordance with Article 17(7) TEU;

E. whereas the draft amendments enable Members of the Commission to stand in European elections without having to resign;

F. whereas it is common practice in the Member States for members of the Government to run in national parliamentary elections without having to resign;

G. whereas the draft amendments also allow Members of the Commission to be designated by European political parties as lead candidates (‘Spitzenkandidaten’) for the position of President of the Commission;

H. whereas Parliament has already expressed support for the ‘Spitzenkandidaten’ process, as clearly laid down in the Treaty, in its proposal for the revision of the Act concerning the election of the members of the European Parliament by direct universal suffrage (1);

I. whereas, in accordance with Article 10(4) TEU, political parties at European level contribute to forming European political awareness, and whereas Articles 10(3) and 11(1) TEU extend this to citizens and representative associations;

J. whereas the draft amendments also provide for the necessary safeguards to protect transparency, impartiality, confidentiality and collegiality, all of which continue to apply to campaigning Members of the Commission;

K. whereas the draft amendments oblige the President of the Commission to inform Parliament of the measures taken to ensure the respect of the principles of independence, integrity and discretion enshrined in Article 245 TFEU and the Code of Conduct for the Members of the European Commission when Commissioners stand as candidates in electoral campaigns for European elections;

L. whereas the draft amendments stipulate that Members of the Commission are not to use the human or material resources of the Commission for activities linked to an electoral campaign;

1. Recalls that the President of the Commission will be elected by the European Parliament on a proposal by the European Council, taking into account the outcome of the European elections and after appropriate consultations have been held, and that therefore, as was the case in 2014, European political parties shall come up with lead candidates (‘Spitzenkandidaten’), in order to give the European citizens the choice whom to elect as President of the Commission in the European elections;

2. Recalls that the ‘Spitzenkandidaten’ process reflects the interinstitutional balance between the Parliament and the European Council as provided for in the Treaties; furthermore emphasises that this further step in strengthening the Union’s parliamentary dimension is a principle that cannot be overturned;

3. Stresses that, by not adhering to the ‘Spitzenkandidaten’ process, the European Council would also risk submitting for Parliament’s approval a candidate for President of the Commission who will not have a sufficient parliamentary majority;

4. Warns that the European Parliament will be ready to reject any candidate in the investiture procedure of the President of the Commission who was not appointed as a 'Spitzenkandidat' in the run-up to the European elections;

5. Considers that the 'Spitzenkandidaten' process is also a contribution to transparency, as candidates for President of the Commission are made known prior to the European elections, rather than after them as was previously the case;

6. Underlines that the 'Spitzenkandidaten' process fosters the political awareness of European citizens in the run-up to the European elections and reinforces the political legitimacy of both Parliament and the Commission by connecting their respective elections more directly to the choice of the voters; acknowledges therefore the important added value of the 'Spitzenkandidat' principle in the goal of a strengthening of the political nature of the Commission;

7. Is of the opinion that the political legitimacy of the Commission would be strengthened further if more elected Members of the European Parliament were nominated as Members of the Commission;

8. Recalls that in the run-up to the 2014 European elections all major European political parties embraced the 'Spitzenkandidaten' process, indicating their candidate for President of the Commission, and that public debates among the candidates were held, bringing about a constitutional and political practice that reflects the interinstitutional balance provided for in the Treaties;

9. Considers that in 2014 the 'Spitzenkandidaten' process proved to be a success, and stresses that the 2019 European elections will be the occasion to cement the use of that practice;

10. Encourages the European political parties to nominate their 'Spitzenkandidaten' through an open, transparent and democratic competition;

11. Considers that the draft amendments are in accordance with Article 10(1) and Article 17(7) TEU, and welcomes them as an improvement which consolidates the democratic election process of the President of the Commission;

12. Notes the entry into force of the revised Code of Conduct for the Members of the European Commission, which aims to clarify the obligations applicable to Members of the Commission in and out of office; recalls the views already expressed by the European Parliament in terms of, inter alia, a cooling off period applicable to former Members of the Commission after ceasing to hold office, transparency, appointment of the Independent Ethical Committee and participation in European electoral campaigns;

13. Considers it important to provide, in the Code of Conduct for the Members of the Commission, for strong standards of transparency, impartiality and safeguards in order to avoid any possible conflict of interest of the campaigning Members of the Commission;

14. Recalls in particular its request for a three year 'cooling-off period' applicable to former Members of the Commission after ceasing to hold office;

15. Approves the amendments to the Framework Agreement on relations between the European Parliament and the European Commission, annexed to this decision;

16. Instructs its President to sign the amendments with the President of the Commission and arrange for their publication in the Official Journal of the European Union;

17. Instructs its President to forward this decision and its annex to the Commission and, for information, to the Council and the parliaments of the Member States.
ANNEX


(The text of this annex is not reproduced here since it corresponds to the agreement as published in OJ L 45 of 17 February 2018, p. 46.)
Automated data exchange with regard to vehicle registration data in Portugal *

European Parliament legislative resolution of 7 February 2018 on the draft Council implementing decision on the launch of automated data exchange with regard to vehicle registration data in Portugal (13308/2017 — C8-0419/2017 — 2017/0821(CNS))

(Consultation)

(2018/C 463/22)

The European Parliament,

— having regard to the Council draft (13308/2017),
— 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 (C8-0419/2017),
— having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (1), and in particular 33 thereof,
— having regard to Rule 78c of its Rules of Procedure,
— having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0017/2018),

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. Instructs its President to forward its position to the Council and the Commission.

Guarantee Fund for external actions


(Ordinary legislative procedure: first reading)

(2018/C 463/23)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0582),

— having regard to Article 294(2) and Articles 209 and 212 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0374/2016),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 1 December 2017 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 Budgets and the opinions of the Committee on Development, the Committee on Foreign Affairs and the Committee on International Trade (A8-0132/2017),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Regulation (EU) 2018/409.)
EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union ***I


(Ordinary legislative procedure: first reading)

(2018/C 463/24)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0583),
— having regard to Article 294(2) and Articles 209 and 212 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0376/2016),
— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
— having regard to the report from the Commission to the European Parliament and the Council on the mid-term review of the application of the Decision No 466/2014/EU as regards the EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union (COM(2016)0584),
— having regard to the provisional agreement approved by the committee responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 1 December 2017 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 Budgets and the opinions of the Committee on Development, the Committee on Foreign Affairs, the Committee on International Trade and the Committee on the Environment, Public Health and Food Safety (A8-0135/2017),

1. Adopts its position at first reading hereinafter set out;
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Position of the European Parliament adopted at first reading on 8 February 2018 with a view to the adoption of Decision (EU) 2018/… of the European Parliament and of the Council amending Decision No 466/2014/EU granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union

(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Decision (EU) 2018/412.)